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Edm Burke

"Books, like chickens, should come home to roost."

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WORDSWORTH'S PRELUDE, with notes.

SELECTIONS FROM WORDSWORTH, with notes.

BURKE'S SPEECHES ON THE AMERICAN WAR, and LETTER TO THE SHERIFFS OF BRISTOL, with notes.

SYLLABUS OF ENGLISH HISTORY AND LITERATURE.

IN PREPARATION.

SCOTT'S MARMION.

WORDSWORTH'S EXCURSION, and THE WHITE DOE OF RYLSTONE.

THE HISTORY AND LITERATURE OF SCOTLAND

I. THE HIGHLANDS. II. THE BORDER.

J. B. McChesney

EDMUND BURKE.

SPEECHES ON THE AMERICAN WAR,

AND

LETTER TO THE SHERIFFS OF BRISTOL.

WITH

Introduction and Notes

By A. J. GEORGE, A.M.

"I shall always consider that liberty as very equivocal in her appearance, which has not wisdom and justice for her companions, and does not lead prosperity and plenty in her train."

BOSTON, U.S.A.:

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TO

MY FRIEND AND TEACHER,

Joseph C. Durgea, D.D.,

THIS BOOK IS AFFECTIONATELY

INSCRIBED.

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INTRODUCTION.



ONE of the noblest masterpieces in the literature of civil and political wisdom, is to be found in Burke's three productions on the American War ; his speech on Taxation in 1774 ; on Conciliation in 1775 ; and his Letter to the Sheriffs of Bristol, 1777.

These three pieces are the most perfect manual in all literature for the study of great affairs, whether for the purpose of knowledge or action. They are an example without fault of all the qualities which the critic, whether a theorist or an actor, of great political situations should strive by night and by day to possess. . . . No student worthy of the name will lay aside these pieces, so admirable in their literary expression, so important for history, so rich in lessons of civil wisdom, until he has found out something from other sources as to the circumstances from which such writings arose, and as to the man whose resplendent genius inspired them. — JOHN MORLEY.

The great value of all his speeches, before and during the American War, is, I apprehend, this, that he treats relations between countries as if they were no less real than the relations between individuals. — REV. F. D. MAURICE.

Unlike Hume, whose politics were elaborated in the study, Burke wrote his political tracts and speeches face to face with events, and upon them. Philosophical reasoning and poetic passion were wedded together in them on the side of conservatism, and every art of eloquence was used with the mastery that imagination gives. — REV. STOPFORD BROOKE.

Burke's political philosophy was strictly a moral philosophy. The popular notions of good and evil, of right and wrong, as inculcated in the ordinary precepts of the Christian religion, were his standard of estimating all political actions. He can, indeed, only be justly characterized as the greatest political thinker of his time, and perhaps of any time. — THOMAS MACKNIGHT, *Life and Times of Burke*.

Among the eminent men who have influenced legislative assemblies in Great Britain and the United States, during the past hundred and twenty years, it is curious that only two have established themselves as men of the first class in English and American literature. These two men are Edmund Burke and Daniel Webster. — E. P. WHIPPLE.

In the common principles of all social and civil order, Burke is unquestionably our best and wisest teacher. In handling the particular questions of his time he always involves those principles, and brings them to their practical bearings, where they most "come home to the business and bosoms of men." And his pages are everywhere bright with the highest and purest political morality, while at the same time he is a consummate master in the intellectual charms and graces of authorship. — H. N. HUDSON.

One who studies the life and work of Edmund Burke will find that it naturally divides itself into four great periods, which are characterized not so much by their duration as by the nature of the work done. The first may be called the period of Preparation; the second, that of the American War; the third, of the Indian Question; and the fourth, of the French Revolution.

Each of these periods is worthy of careful study; and as the selections contained in this volume refer to the second period, their use ought to result in a desire to master the principles which entered into and moulded the life of that great statesman and great man. The present generation must not be allowed to forget that the sources of our political and social well-being are in the lives of those who, in any age and under whatever circumstances, have endeavored to make reason and the will of God prevail.

This work is edited in the hope that by furthering the study of the greatest political classic in the English language, it may also further that spirit which seeks to study history as revealed in literature, and literature as inspired by great historic events.

In the preparation of the notes the editor has confined himself to the historical setting and interpretation of the work, and has left the question of literary merit to be wrought out by the pupil under the inspiration of the class-room exercise. A careful analysis of Burke's style, according to the *Scheme* on page 224, will be found advantageous.

In the matter of biography, one of the works given on page 242 should be consulted.

A. J. G.

BROOKLINE, MASS.,
April, 1891.

SPEECH OF EDMUND BURKE, Esq.,

ON

AMERICAN TAXATION.

APRIL 19, 1774.



SIR: I agree with the honourable gentleman¹ who spoke last, that this subject is not new in this House. Very disagreeably to this House, very unfortunately to this nation, and to the peace and prosperity of this whole empire, no topic has been more familiar to us. For nine long years, 5 session after session, we have been lashed round and round this miserable circle of occasional arguments and temporary expedients. I am sure our heads must turn, and our stomachs nauseate with them. We have had them in every shape; we have looked at them in every point of view. Invention is 10 exhausted; reason is fatigued; experience has given judgment; but obstinacy is not yet conquered.²

The honourable gentleman has made one endeavour more to diversify the form of this disgusting argument. He has thrown out a speech composed almost entirely of challenges. 15 Challenges are serious things; and as he is a man of prudence as well as resolution, I dare say he has very well weighed those challenges before he delivered them. I had long the happiness to sit at the same side of the House, and to agree with the honourable gentleman on all the American 20 questions.³ My sentiments, I am sure, are well known to him; and I thought I had been perfectly acquainted with

his. Though I find myself mistaken, he will still permit me to use the privilege of an old friendship ; he will permit me to apply myself to the House under the sanction of his authority ; and, on the various grounds he has measured out,
5 to submit to you the poor opinions which I have formed upon a matter of importance enough to demand the fullest consideration I could bestow upon it.

He has stated to the House two grounds of deliberation : one narrow and simple, and merely confined to the question
10 on your paper ; the other more large and more complicated ; comprehending the whole series of the parliamentary proceedings with regard to America, their causes, and their consequences. With regard to the latter ground, he states it as useless, and thinks it may be even dangerous, to enter
15 into so extensive a field of inquiry. Yet, to my surprise, he had hardly laid down this restrictive proposition, to which his authority would have given so much weight, when directly, and with the same authority, he condemns it ; and declares it absolutely necessary to enter into the most ample historical
20 detail.¹ His zeal has thrown him a little out of his usual accuracy. In this perplexity what shall we do, Sir, who are willing to submit to the law he gives us ? He has reprobated in one part of his speech the rule he had laid down for debate in the other ; and, after narrowing the ground for all
25 those who are to speak after him, he takes an excursion himself, as unbounded as the subject and the extent of his great abilities.

3
Sir, when I cannot obey all his laws, I will do the best I can. I will endeavour to obey such of them as have the
4 30 sanction of his example ; and to stick to that rule, which, though not consistent with the other, is the most rational.

He was certainly in the right when he took the matter largely. I cannot prevail on myself to agree with him in his censure of his own conduct. It is not, he will give me leave to say, either useless or dangerous. He asserts, that retrospect is not wise ; and the proper, the only proper, subject 5 of inquiry, is “not how we got into this difficulty, but how we are to get out of it.” In other words, we are, according to him, to consult our invention, and to reject our experience.¹ The mode of deliberation he recommends is diametrically opposite to every rule of reason and every principle of good 10 sense established amongst mankind. For that sense and that reason I have always understood absolutely to prescribe, whenever we are involved in difficulties from the measures we have pursued, that we should take a strict review of those measures, in order to correct our errors, if they should be 15 corrigible ; or at least to avoid a dull uniformity in mischief, and the unpitied calamity of being repeatedly caught in the same snare.

Sir, I will freely follow the honourable gentleman in his historical discussion, without the least management for men 20 or measures, further than as they shall seem to me to deserve it. But before I go into that large consideration, because I would omit nothing that can give the House satisfaction, I wish to tread the narrow ground to which alone the honourable gentleman, in one part of his speech, has so strictly 25 confined us.

He desires to know, whether, if we were to repeal this tax, agreeably to the proposition of the honourable gentleman who made the motion, the Americans would not take post 30 on this concession, in order to make a new attack on the next body of taxes ; and whether they would not call for a

repeal of the duty on wine as loudly as they do now for the repeal of the duty on tea? Sir, I can give no security on this subject. But I will do all that I can, and all that can be fairly demanded. To the *experience* which the honourable gentleman reprobates in one instant, and reverts to in the next; to that experience, without the least wavering or hesitation on my part, I steadily appeal; and would to God there was no other arbiter to decide on the vote with which the House is to conclude this day.

When parliament repealed the stamp act in the year 1766, I affirm, first, that the Americans did *not* in consequence of this measure call upon you to give up the former parliamentary revenue which subsisted in that country; or even any one of the articles which compose it.¹ I affirm also, that when, departing from the maxims of that repeal, you revived the scheme of taxation, and thereby filled the minds of the colonists with new jealousy, and all sorts of apprehensions, then it was that they quarrelled with the old taxes, as well as the new; then it was, and not till then, that they questioned all the parts of your legislative power; and by the battery of such questions have shaken the solid structure of this empire to its deepest foundations.

Of those two propositions I shall, before I have done, give such convincing, such damning proofs, that however the contrary may be whispered in circles, or bawled in newspapers, they never more will dare to raise their voices in this House. I speak with great confidence. I have reason for it. The ministers are with me. *They* at least are convinced that the repeal of the stamp act had not, and that no repeal can have, the consequences which the honourable gentleman who defends their measures is so much alarmed at. To their

conduct I refer him for a conclusive answer to this objection. I carry my proof irresistibly into the very body of both ministry and parliament ; not on any general reasoning growing out of collateral matter, but on the conduct of the honourable gentleman's ministerial friends on the new revenue itself. 5

The act of 1767, which grants this tea duty, sets forth in its preamble, that it was expedient to raise a revenue in America, for the support of the civil government there, as well as for purposes still more extensive. To this support the act assigns six branches of duties. About two years after 10 this act passed, the ministry, I mean the present ministry, thought it expedient to repeal five of the duties, and to leave (for reasons best known to themselves) only the sixth standing. Suppose any person, at the time of that repeal, had thus addressed the minister :¹ " Condemning, as you do, the 15 repeal of the stamp act, why do you venture to repeal the duties upon glass, paper, and painters' colours? Let your pretence for the repeal be what it will, are you not thoroughly convinced, that your concessions will produce, not satisfaction, but insolence, in the Americans ; and that the giving up 20 these taxes will necessitate the giving up of all the rest?" This objection was as palpable then as it is now ; and it was as good for preserving the five duties as for retaining the sixth. Besides, the minister will recollect, that the repeal of the stamp act had but just preceded his repeal ; and the ill 25 policy of that measure, (had it been so impolitic as it has been represented,) and the mischiefs it produced, were quite recent. Upon the principles, therefore, of the honourable gentleman, upon the principles of the minister himself, the minister has nothing at all to answer. He stands condemned 30 by himself, and by all his associates, old and new, as a de-

stroyer, in the first trust of finance, of the revenues ; and in the first rank of honour, as a betrayer of the dignity of his country.

Most men, especially great men, do not always know their
5 well-wishers. I come to rescue that noble lord out of the hands of those he calls his friends ; and even out of his own. I will do him the justice he is denied at home. He has not been this wicked or imprudent man. He knew that a repeal had no tendency to produce the mischiefs which give
10 so much alarm to his honourable friend. His work was not bad in its principle, but imperfect in its execution ; and the motion on your paper presses him only to complete a proper plan, which, by some unfortunate and unaccountable error, he had left unfinished.

15 I hope, Sir, the honourable gentleman, who spoke last, is thoroughly satisfied, and satisfied out of the proceedings of ministry on their own favourite act, that his fears from a repeal are groundless. If he is not, I leave him, and the noble lord who sits by him, to settle the matter, as well as
20 they can, together ; for if the repeal of American taxes destroys all our government in America — He is the man ! — and he is the worst of all the repealers, because he is the last.¹

12
But I hear it rung continually in my ears, now and formerly, — “ the preamble ! what will become of the preamble,
25 if you repeal this tax ? ” — I am sorry to be compelled so often to expose the calamities and disgraces of parliament. The preamble of this law, standing as it now stands, has the lie direct given to it by the provisional part of the act ; if that can be called provisional which makes no provision.
30 I should be afraid to express myself in this manner, especially in the face of such a formidable array of ability as is now

drawn up before me, composed of the ancient household troops of that side of the House, and the new recruits from this, if the matter were not clear and indisputable. Nothing but truth could give me this firmness; but plain truth and clear evidence can be beat down by no ability. The clerk 5 will be so good as to turn to the act, and to read this favourite preamble :

Whereas it is expedient that a revenue should be raised in your Majesty's dominions in America, for making a more certain and adequate provision for defraying the charge of 10 the administration of justice, and support of civil government, in such provinces where it shall be found necessary; and towards further defraying the expenses of defending, protecting, and securing the said dominions.

You have heard this pompous performance. Now where 15 is the revenue which is to do all these mighty things? Five-sixths repealed — abandoned — sunk — gone — lost for ever. Does the poor solitary tea duty support the purposes of this preamble? Is not the supply there stated as effectually abandoned as if the tea duty had perished in the general 20 wreck? Here, Mr. Speaker, is a precious mockery — a preamble without an act — taxes granted in order to be repealed — and the reasons of the grant still carefully kept up ! This is raising a revenue in America ! This is preserving dignity in England ! If you repeal this tax in compliance with the 25 motion, I readily admit that you lose this fair preamble. Estimate your loss in it. The object of the act is gone already ; and all you suffer is the purging the statute-book of the opprobrium of an empty, absurd, and false recital.

It has been said again and again, that the five taxes were 30 repealed on commercial principles. It is so said in the

paper in my hand ;¹ a paper which I constantly carry about ; which I have often used, and shall often use again. What is got by this paltry pretence of commercial principles I know not : for if your government in America is destroyed
5 by the *repeal of taxes*, it is of no consequence upon what ideas the repeal is grounded. Repeal this tax too upon commercial principles if you please. These principles will serve as well now as they did formerly. But you know that, either your objection to a repeal from these supposed consequences
10 has no validity, or that this pretence never could remove it. This commercial motive never was believed by any man, either in America, which this letter is meant to soothe, or in England, which it is meant to deceive. It was impossible it should. Because every man, in the least acquainted with the
15 detail of commerce, must know, that several of the articles on which the tax was repealed, were fitter objects of duties than almost any other articles that could possibly be chosen ; without comparison more so than the tea that was left taxed ; as infinitely less liable to be eluded by contra-
20 band. The tax upon red and white lead was of this nature. You have, in this kingdom, an advantage in lead, that amounts to a monopoly.² When you find yourself in this situation of advantage, you sometimes venture to tax even your own export. You did so soon after the last war ; when, upon
25 this principle, you ventured to impose a duty on coals. In all the articles of American contraband trade, who ever heard of the smuggling of red lead and white lead ? You might, therefore, well enough, without danger of contraband, and without injury to commerce, (if this were the whole
30 consideration,) have taxed these commodities. The same may be said of glass. Besides, some of the things taxed

were so trivial, that the loss of the objects themselves, and their utter annihilation out of American commerce, would have been comparatively as nothing. But is the article of tea such an object in the trade of England, as not to be felt, or felt but slightly, like white lead and red lead, and painters' colours? Tea is an object of far other importance. Tea is perhaps the most important object, taking it with its necessary connexions, of any in the mighty circle of our commerce. If commercial principles had been the true motives to the repeal, or had they been at all attended to, tea would have been the last article we should have left taxed for a subject of controversy.

Sir, it is not a pleasant consideration ; but nothing in the world can read so awful and so instructive a lesson, as the conduct of ministry in this business, upon the mischief of not having large and liberal ideas in the management of great affairs.¹ Never have the servants of the state looked at the whole of your complicated interests in one connected view. They have taken things by bits and scraps, some at one time and one pretence, and some at another, just as they pressed, without any sort of regard to their relations or dependencies. They never had any kind of system, right or wrong ; but only invented occasionally some miserable tale for the day, in order meanly to sneak out of difficulties, into which they had proudly strutted. And they were put to all these shifts and devices, full of meanness and full of mischief, in order to pilfer piece-meal a repeal of an act, which they had not the generous courage, when they found and felt their error, honourably and fairly to disclaim. By such management, by the irresistible operation of feeble councils, so paltry a sum as three-pence in the eyes of a financier, so insignifi-

cant an article as tea in the eyes of a philosopher, have shaken the pillars of a commercial empire that circled the whole globe.

Do you forget that, in the very last year, you stood on the
5 precipice of general bankruptcy? Your danger was indeed great. You were distressed in the affairs of the East India Company ; and you well know what sort of things are involved in the comprehensive energy of that significant appellation.¹ I am not called upon to enlarge to you on that
10 danger, which you thought proper yourselves to aggravate, and to display to the world with all the parade of indiscreet declamation. The monopoly of the most lucrative trades,² and the possession of imperial revenues, had brought you to the verge of beggary and ruin.³ Such was your representation — such, in some measure, was your case. The vent
15 of ten millions of pounds of this commodity, now locked up by the operation of an injudicious tax, and rotting in the warehouses of the company,⁴ would have prevented all this distress, and all that series of desperate measures which you
20 thought yourselves obliged to take in consequence of it. America would have furnished that vent, which no other part of the world can furnish but America ; where tea is next to a necessary of life ; and where the demand grows upon the supply. I hope our dear-bought East India committees⁵
25 have done us at least so much good, as to let us know, that, without a more extensive sale of that article, our East India revenues and acquisitions can have no certain connexion with this country. It is through the American trade of tea that your East India conquests are to be prevented from crushing
30 you with their burthen. They are ponderous indeed : and they must have that great country to lean upon, or they

tumble upon your head. It is the same folly that has lost you at once the benefit of the west and of the east. This folly has thrown open folding-doors to contraband ; and will be the means of giving the profits of the trade of your colonies to every nation but yourselves. Never did a people 5 suffer so much for the empty words of a preamble. It must be given up. For on what principle does it stand? This famous revenue stands, at this hour, on all the debate as a description of revenue not as yet known in all the comprehensive (but too comprehensive) vocabulary of finance — *a* 10 *preambulary tax*. It is indeed a tax of sophistry, a tax of pedantry, a tax of disputation, a tax of war and rebellion, a tax for anything but benefit to the imposers, or satisfaction to the subject.

Well ! but whatever it is, gentlemen will force the colo- 15 nists to take the teas. You will force them? Has seven years' struggle been yet able to force them? O but it seems "we are in the right. The tax is trifling—in effect it is rather an exoneration than an imposition ; three-fourths of the duty formerly payable on teas exported to America is 20 taken off ; the place of collection is only shifted ; instead of the retention of a shilling from the drawback here, it is three-pence custom paid in America." All this, Sir, is very true. But this is the very folly and mischief of the act. Incredible as it may seem, you know that you have deliber- 25 ately thrown away a large duty which you held secure and quiet in your hands, for the vain hope of getting one three-fourths less, through every hazard, through certain litigation, and possibly through war.

The manner of proceeding in the duties on paper and 30 glass, imposed by the same act, was exactly in the same

spirit. There are heavy excises on those articles when used in England. On export, these excises are drawn back.¹ But instead of withholding the drawback, which might have been done, with ease, without charge, without possibility of smuggling; and instead of applying the money (money already in your hands) according to your pleasure, you began your operations in finance by flinging away your revenue; you allowed the whole drawback on export, and then you charged the duty, (which you had before discharged,) payable in the colonies; where it was certain the collection would devour it to the bone, if any revenue were ever suffered to be collected at all. One spirit pervades and animates the whole mass.²

Could anything be a subject of more just alarm to America, than to see you go out of the plain high-road of finance, and give up your most certain revenues and your clearest interests, merely for the sake of insulting your colonies? No man ever doubted that the commodity of tea could bear an imposition of three-pence. But no commodity will bear three-pence, or will bear a penny, when the general feelings of men are irritated, and two millions of people are resolved not to pay. The feelings of the colonies were formerly the feelings of Great Britain. Theirs were formerly the feelings of Mr. Hampden when called upon for the payment of twenty shillings. Would twenty shillings have ruined Mr. Hampden's fortune? No! but the payment of half twenty shillings, on the principle it was demanded, would have made him a slave. It is the weight of that preamble, of which you are so fond, and not the weight of the duty, that the Americans are unable and unwilling to bear.

It is then, Sir, upon the *principle* of this measure, and

nothing else, that we are at issue. It is a principle of political expediency. Your act of 1767 asserts, that it is expedient to raise a revenue in America ; your act of 1769, which takes away that revenue, contradicts the act of 1767 ; and, by something much stronger than words, asserts, that it is not expedient. It is a reflection upon your wisdom to persist in a solemn parliamentary declaration of the expediency of any object, for which, at the same time, you make no sort of provision. And pray, Sir, let not this circumstance escape you ; it is very material ; that the preamble of this act, which we wish to repeal, is not *declaratory of a right*, as some gentlemen seem to argue it ; it is only a recital of the *expediency* of a certain exercise of a right supposed already to have been asserted ; an exercise you are now contending for by ways and means, which you confess, though they were obeyed, to be utterly insufficient for their purpose. You are therefore at this moment in the awkward situation of fighting for a phantom ; a quiddity ; a thing that wants, not only a substance, but even a name ; for a thing, which is neither abstract right, nor profitable enjoyment.

They tell you, Sir, that your dignity is tied to it. I know not how it happens, but this dignity of yours is a terrible encumbrance to you ; for it has of late been ever at war with your interest, your equity, and every idea of your policy. Show the thing you contend for to be reason ; show it to be common sense ; show it to be the means of attaining some useful end ; and then I am content to allow it what dignity you please. But what dignity is derived from the perseverance in absurdity, is more than ever I could discern. The honourable gentleman has said well — indeed, in most of his *general* observations I agree with him — he says, that this

subject does not stand as it did formerly. Oh, certainly not ! Every hour you continue on this ill-chosen ground, your difficulties thicken on you ; and therefore my conclusion is, remove from a bad position as quickly as you can. The
5 disgrace, and the necessity of yielding, both of them, grow upon you every hour of your delay.

But will you repeal the act, says the honourable gentleman, at this instant when America is in open resistance to your authority, and that you have just revived your system of
10 taxation ? He thinks he has driven us into a corner. But thus pent up, I am content to meet him ; because I enter the lists supported by my old authority, his new friends, the ministers themselves. The honourable gentleman remembers, that about five years ago as great disturbances as the
15 present prevailed in America on account of the new taxes. The ministers represented these disturbances as treasonable ; and this House thought proper, on that representation, to make a famous address for a revival, and for a new application of a statute of Henry VIII.¹ We besought the king, in
20 that well-considered address, to inquire into treasons, and to bring the supposed traitors from America to Great Britain for trial. His Majesty was pleased graciously to promise a compliance with our request. All the attempts from this side of the House to resist these violences, and to bring
25 about a repeal, were treated with the utmost scorn. An apprehension of the very consequences now stated by the honourable gentleman, was then given as a reason for shutting the door against all hope of such an alteration. And so strong was the spirit for supporting the new taxes, that the
30 session concluded with the following remarkable declaration. After stating the vigorous measures which had been pursued, the speech from the throne proceeds :

You have assured me of your firm support in the prosecution of them. Nothing, in my opinion, could be more likely to enable the well-disposed among my subjects in that part of the world, effectually to discourage and defeat the designs of the factious and seditious, than the hearty concurrence of every branch of the legislature, in maintaining the execution of the laws in every part of my dominions. 5

After this no man dreamt that a repeal under this ministry could possibly take place. The honourable gentleman knows as well as I, that the idea was utterly exploded by those who sway the House. This speech was made on the ninth day of May, 1769. Five days after this speech, that is, on the 13th of the same month, the public circular letter, a part of which I am going to read to you, was written by Lord Hillsborough, secretary of state for the colonies. After reciting the substance of the king's speech, he goes on thus : 15

"I can take upon me to assure you, notwithstanding insinuations to the contrary, from men with factious and seditious views, that his Majesty's present administration have at no time entertained a design to propose to parliament to lay any further taxes upon America for the purpose of RAISING A REVENUE ; and that it is at present their intention to propose, the next session of parliament, to take off the duties upon glass, paper, and colours, upon consideration of such duties having been laid contrary to the true principles of commerce. 20 25

"These have always been, and still are, the sentiments of his Majesty's present servants ; and by which their conduct in respect to America has been governed. And his Majesty relies upon your prudence and fidelity for such an explanation of his measures, as may tend to remove the prejudices which 30

have been excited by the misrepresentations of those who are enemies to the peace and prosperity of Great Britain and her colonies ; and to re-establish that mutual confidence and affection upon which the glory and safety of the British empire depend."

Here, Sir, is a canonical book of ministerial scripture ; the general epistle to the Americans. What does the gentleman say to it? Here a repeal is promised ; promised without condition ; and while your authority was actually resisted. I pass by the public promise of a peer relative to the repeal of taxes by this House. I pass by the use of the king's name in a matter of supply, that sacred and reserved right of the commons. I conceal the gigantic rebellion of America ; and then five days after prostrate at the feet of those assemblies we affected to despise ; begging them, by the intervention of our ministerial sureties, to receive our submission, and heartily promising amendment. These might have been serious matters formerly ; but we are grown wiser than our fathers. Passing, therefore, from the constitutional consideration to the mere policy, does not this letter imply, that the idea of taxing America for the purpose of revenue is an abominable project ; when the ministry suppose that none but factious men, and with seditious views, could charge them with it? does not this letter adopt and sanctify the American distinction of *taxing for a revenue* ? does it not formally reject all future taxation on that principle? does it not state the ministerial rejection of such principle of taxation, not as the occasional, but the constant, opinion of the king's servants? does it not say, (I care not how consistently,)

but does it not say, that their conduct with regard to America has been *always* governed by this policy? It goes a great deal further. These excellent and trusty servants of the king, justly fearful lest they themselves should have lost all credit with the world, bring out the image of their gracious sovereign from the inmost and most sacred shrine, and they pawn him as a security for their promises. — “*His Majesty* relies on your prudence and fidelity for such an explanation of *his* measures.” These sentiments of the minister, and these measures of his Majesty, can only relate to the principle and practice of taxing for a revenue ; and accordingly Lord Botetourt, stating it as such, did, with great propriety, and in the exact spirit of his instructions, endeavour to remove the fears of the Virginian assembly,¹ lest the sentiments, which it seems (unknown to the world) had *always* been those of the ministers, and by which *their* conduct in *respect to America had been governed*, should by some possible revolution, favourable to wicked American taxes, be hereafter counteracted. He addresses them in this manner :

20

It may possibly be objected, that, as his Majesty's present administration are not immortal, their successors may be inclined to attempt to undo what the present ministers shall have attempted to perform ; and to that objection I can give but this answer ; that it is my firm opinion, that the plan I have stated to you will certainly take place ; and that it will never be departed from ; and so determined am I for ever to abide by it, that I will be content to be declared infamous, if I do not, to the last hour of my life, at all times, in all places, and upon all occasions, exert every power with which I either am or ever shall be legally invested, in order to ob-

30

tain and maintain for the continent of America that satisfaction which I have been authorized to promise this day, by the confidential servants of our gracious sovereign, who to my certain knowledge rates his honour so high, that he would
5 rather part with his crown, than preserve it by deceit.

A glorious and true character ! which (since we suffer his ministers with impunity to answer for his ideas of taxation) we ought to make it our business to enable his Majesty to preserve in all its lustre. Let him have character,
10 since ours is no more ! Let some part of government be kept in respect !

This epistle was not the letter of Lord Hillsborough solely ; though he held the official pen. It was the letter of the noble lord upon the floor,¹ and of all the king's then
15 ministers, who (with I think the exception of two only) are his ministers at this hour. The very first news that a British parliament heard of what it was to do with the duties which it had given and granted to the king, was by the publication of the votes of American assemblies. It was in
20 America that your resolutions were pre-declared. It was from thence that we knew to certainty, how much exactly, and not a scruple more or less, we were to repeal. We were unworthy to be let into the secret of our own conduct. The assemblies had *confidential* communications from his
25 Majesty's *confidential* servants. We were nothing but instruments. Do you, after this, wonder that you have no weight and no respect in the colonies ? After this, are you surprised, that parliament is every day and everywhere losing (I feel it with sorrow, I utter it with reluctance) that
30 reverential affection, which so endearing a name of authority ought ever to carry with it ; that you are obeyed solely from

respect to the bayonet ; and that this House, the ground and pillar of freedom, is itself held up only by the treacherous under-pinning and clumsy buttresses of arbitrary power?

If this dignity, which is to stand in the place of just policy 5 and common sense, had been consulted, there was a time for preserving it, and for reconciling it with any concession. If in the session of 1768, that session of idle terror and empty menaces, you had, as you were often pressed to do, repealed these taxes ; then your strong operations would have come 10 justified and enforced, in case your concessions had been returned by outrages. But, preposterously, you began with violence ; and before terrors could have any effect, either good or bad, your ministers immediately begged pardon, and promised that repeal to the obstinate Americans, which they 15 had refused in an easy, good-natured, complying British parliament. The assemblies, which had been publicly and avowedly dissolved for *their* contumacy, are called together to receive *your* submission. Your ministerial directors blustered like tragic tyrants here ; and then went mumping 20 with a sore leg in America, canting and whining, and complaining of faction, which represented them as friends to a revenue from the colonies. I hope nobody in this House will hereafter have the impudence to defend American taxes in the name of ministry. The moment they do, with this 25 letter of attorney in my hand, I will tell them, in the authorized terms, they are wretches, "with factious and seditious views ; enemies to the peace and prosperity of the mother country and the colonies," and subverters "of the mutual affection and confidence on which the glory and safety of 30 the British empire depend."

After this letter the question is no more on propriety or dignity. They are gone already. The faith of your sovereign is pledged for the political principle. The general declaration in the letter goes to the whole of it. You must therefore either abandon the scheme of taxing ; or you must send the ministers tarred and feathered to America, who dared to hold out the royal faith for a renunciation of all taxes for revenue. Them you must punish, or this faith you must preserve. The preservation of this faith is of more consequence than the duties on *red lead* or *white lead*, or on broken *glass*, or *atlas-ordinary*, or *demy-fine*, or *blue royal*, or *bastard*, or *fool's-cap*, which you have given up ; or the three-pence on tea which you retained. The letter went stamped with the public authority of this kingdom. The instructions for the colony government go under no other sanction ; and America cannot believe, and will not obey you, if you do not preserve this channel of communication sacred. You are now punishing the colonies for acting on distinctions, held out by that very ministry which is here shining in riches, in favour, and in power ; and urging the punishment of the very offence to which they had themselves been the tempters.

Sir, if reasons respecting simply your own commerce, which is your own convenience, were the sole ground of the repeal of the five duties ; why does Lord Hillsborough, in disclaiming in the name of the king and ministry their ever having had an intent to tax for revenue, mention it as the means "of re-establishing the confidence and affection of the colonies?" Is it a way of soothing *others*, to assure them that you will take good care of *yourself*? The medium, the only medium, for regaining their affection and confidence, is, that you will take off something oppressive to their minds.

Sir, the letter strongly enforces that idea : for though the repeal of the taxes is promised on commercial principles, yet the means of counteracting "the insinuations of men with factious and seditious views," is, by a disclaimer of the intention of taxing for revenue, as a constant, invariable sentiment and rule of conduct in the government of America. 5

I remember that the noble lord on the floor, not in a former debate to be sure, (it would be disorderly to refer to it, I suppose I read it somewhere,) but the noble lord was pleased to say, that he did not conceive how it could enter 10 into the head of man to impose such taxes as those of 1767 ; I mean those taxes which he voted for imposing, and voted for repealing ; as being taxes contrary to all the principles of commerce, laid on *British manufactures*.

I dare say the noble lord is perfectly well read, because 15 the duty of his particular office requires he should be so, in all our revenue laws ; and in the policy which is to be collected out of them. Now, Sir, when he had read this act of American revenue, and a little recovered from his astonishment, I suppose he made one step retrograde (it is but one) 20 and looked at the act which stands just before in the statute-book. The American revenue act is the forty-fifth chapter ; the other to which I refer is the forty-fourth of the same session. These two acts are both to the same purpose ; both revenue acts ; both taxing out of the kingdom ; and 25 both taxing British manufactures exported. As the forty-fifth is an act for raising a revenue in America, the forty-fourth is an act for raising a revenue in the Isle of Man.¹ The two acts perfectly agree in all respects, except one. In the act for taxing the Isle of Man, the noble lord will find 30 (not, as in the American act, four or five articles) but almost

the *whole body* of British manufactures, taxed from two and a half to fifteen *per cent.*, and some articles, such as that of spirits, a great deal higher. You did not think it uncommercial to tax the whole mass of your manufactures, and, let
5 me add, your agriculture too; for, I now recollect, British corn is there also taxed up to ten *per cent.*, and this too in the very head quarters, the very citadel of smuggling, the Isle of Man. Now will the noble lord condescend to tell me why he repealed the taxes on your manufactures sent
10 out to America, and not the taxes on the manufactures exported to the Isle of Man? The principle was exactly the same, the objects charged infinitely more extensive, the duties, without comparison, higher. Why? Why, notwithstanding all his childish pretexts, because the taxes were
15 quietly submitted to in the Isle of Man; and because they raised a flame in America. Your reasons were political, not commercial. The repeal was made, as Lord Hillsborough's letter well expresses it, to regain "the confidence and affection of the colonies, on which the glory and safety of the
20 British empire depend." A wise and just motive surely, if ever there was such. But the mischief and dishonour is, that you have not done what you had given the colonies just cause to expect, when your ministers disclaimed the idea of taxes for a revenue. There is nothing simple, nothing manly,
25 nothing ingenuous, open, decisive, or steady, in the proceeding, with regard either to the continuance or the repeal of the taxes. The whole has an air of littleness and fraud. The article of tea is slurred over in the circular letter, as it were by accident — nothing is said of a resolution either to
30 keep that tax, or to give it up. There is no fair dealing in any part of the transaction.

If you mean to follow your true motive and your public faith, give up your tax on tea for raising a revenue, the principle of which has, in effect, been disclaimed in your name ; and which produces you no advantage ; no, not a penny. Or, if you choose to go on with a poor pretence instead of a solid reason, and will still adhere to your cant of commerce, you have ten thousand times more strong commercial reasons for giving up this duty on tea, than for abandoning the five others that you have already renounced. 5

The American consumption of teas is annually, I believe, worth £300,000 at the least farthing. If you urge the American violence as a justification of your perseverance in enforcing this tax, you know that you can never answer this plain question — Why did you repeal the others given in the same act, whilst the very same violence subsisted ? — But you did not find the violence cease upon that concession. — No ! 15 because the concession was far short of satisfying the principle which Lord Hillsborough had abjured ; or even the pretence on which the repeal of the other taxes was announced ; and because, by enabling the East India Company to open a shop for defeating the American resolution not to pay that specific tax, you manifestly showed a hankering after the principle of the act which you formerly had renounced. Whatever road you take leads to a compliance with this motion. It opens to you at the end of every vista. 20 Your commerce, your policy, your promises, your reasons, your pretences, your consistency, your inconsistency — all jointly oblige you to this repeal.¹ 25

But still it sticks in our throats, if we go so far, the Americans will go farther. We do not know that. We ought, from experience, rather to presume the contrary. Do we 30

not know for certain that the Americans are going on as fast as possible, whilst we refuse to gratify them? Can they do more, or can they do worse, if we yield this point? I think this concession will rather fix a turnpike to prevent their
5 further progress. It is impossible to answer for bodies of men. But I am sure the natural effect of fidelity, clemency, kindness in governors, is peace, good-will, order, and esteem on the part of the governed. I would certainly, at least, give these fair principles a fair trial; which, since the making
10 of this act to this hour, they never have had.

Sir, the honourable gentleman having spoken what he thought necessary upon the narrow part of the subject, I have given him, I hope, a satisfactory answer. He next presses me by a variety of direct challenges and oblique
15 reflections to say something on the historical part. I shall therefore, Sir, open myself fully on that important and delicate subject; not for the sake of telling you a long story, (which I know, Mr. Speaker, you are not particularly fond of,) but for the sake of the weighty instruction that, I flatter
20 myself, will necessarily result from it. I shall not be longer, if I can help it, than so serious a matter requires.

Permit me then, Sir, to lead your attention very far back; back to the act of navigation;¹ the corner-stone of the policy of this country with regard to its colonies. Sir, that policy
25 was, from the beginning, purely commercial; and the commercial system was wholly restrictive. It was the system of a monopoly. No trade was let loose from that constraint, but merely to enable the colonists to dispose of what, in the course of your trade, you could not take; or to enable them
30 to dispose of such articles as we forced upon them, and for which, without some degree of liberty, they could not pay.

Hence all your specific and detailed enumerations : hence the innumerable checks and counterchecks : hence that infinite variety of paper chains by which you bind together this complicated system of the colonies. This principle of commercial monopoly runs through no less than twenty-nine acts 5 of parliament, from the year 1660 to the unfortunate period of 1764.

In all those acts the system of commerce is established, as that, from whence alone you proposed to make the colonies contribute (I mean directly and by the operation of your 10 superintending legislative power) to the strength of the empire. I venture to say, that during that whole period, a parliamentary revenue from thence was never once in contemplation. Accordingly, in all the number of laws passed with regard to the plantations, the words which distinguish 15 revenue laws, specifically as such, were, I think, premeditatedly avoided. I do not say, Sir, that a form of words alters the nature of the law, or abridges the power of the lawgiver. It certainly does not. However, titles and formal preambles are not always idle words ; and the lawyers frequently argue 20 from them. I state these facts to show, not what was your right, but what has been your settled policy. Our revenue laws have usually a *title*, purporting their being *grants* ; and the words *give* and *grant* usually precede the enacting parts. Although duties were imposed on America in acts of King 25 Charles II. and in acts of King William, no one title of giving “an aid to his Majesty,” or any other of the usual titles to revenue acts, was to be found in any of them till 1764 ; nor were the words “give and grant” in any preamble until the 6th of George II. However, the title of this act of George 30 II., notwithstanding the words of donation, considers it

merely as a regulation of trade, "an act for the better securing of the trade of his Majesty's sugar colonies in America." This act was made on a compromise of all, and at the express desire of a part, of the colonies themselves. It was therefore
5 in some measure with their consent; and having a title directly purporting only a *commercial regulation*, and being in truth nothing more, the words were passed by, at a time when no jealousy was entertained, and things were little scrutinized. Even Governor Bernard,¹ in his second printed
10 letter, dated in 1763, gives it as his opinion, that "it was an act of *prohibition*, not of revenue." This is certainly true, that no act avowedly for the purpose of revenue, and with the ordinary title and recital taken together, is found in the statute book until the year 1764. All before this period
15 stood on commercial regulation and restraint. The scheme of a colony revenue by British authority appeared therefore to the Americans in the light of a great innovation; the words of Governor Bernard's ninth letter, written in Nov. 1765, state this idea very strongly; "it must," says he,
20 "have been supposed, *such an innovation as a parliamentary taxation* would cause a great *alarm*, and meet with much *opposition* in most parts of America; it was *quite new* to the people, and had no *visible bounds* set to it." After stating the weakness of government there, he says, "was this a time
25 to introduce *so great a novelty* as a parliamentary inland taxation in America?" Whatever the right might have been, this mode of using it was absolutely new in policy and practice.

Sir, they who are friends to the schemes of American revenue say, that the commercial restraint is full as hard a law
30 for America to live under. I think so too. I think it, if

uncompensated, to be a condition of as rigorous servitude as men can be subject to. But America bore it from the fundamental act of navigation until 1764. Why? because men do bear the inevitable constitution of their original nature with all its infirmities. The act of navigation attended the colonies from their infancy, grew with their growth, and strengthened with their strength. They were confirmed in obedience to it, even more by usage than by law. They scarcely had remembered a time when they were not subject to such restraint. Besides, they were indemnified for it by a pecuniary compensation. Their monopolist happened to be one of the richest men in the world. By his immense capital (primarily employed, not for their benefit, but his own) they were enabled to proceed with their fisheries, their agriculture, their ship-building, (and their trade too within the limits,) in such a manner as got far the start of the slow, languid operations of unassisted nature. This capital was a hot-bed to them. Nothing in the history of mankind is like their progress. For my part, I never cast an eye on their flourishing commerce, and their cultivated and commodious life, but they seem to me rather ancient nations grown to perfection through a long series of fortunate events, and a train of successful industry, accumulating wealth in many centuries, than the colonies of yesterday; than a set of miserable outcasts, a few years ago, not so much sent as thrown out, on the bleak and barren shore of a desolate wilderness, three thousand miles from all civilized intercourse.

39 All this was done by England, whilst England pursued trade, and forgot revenue. You not only acquired commerce, but you actually created the very objects of trade in 30

America ; and by that creation you raised the trade of this kingdom at least fourfold. America had the compensation of your capital, which made her bear her servitude. She had another compensation, which you are now going to take
5 away from her. She had, except the commercial restraint, every characteristic mark of a free people in all her internal concerns. She had the image of the British constitution. She had the substance. She was taxed by her own representatives. She chose most of her own magistrates. She
10 paid them all. She had in effect the sole disposal of her own internal government. This whole state of commercial servitude and civil liberty, taken together, is certainly not perfect freedom ; but comparing it with the ordinary circumstances of human nature, it was a happy and a liberal
15 condition.

I know, Sir, that great and not unsuccessful pains have been taken to inflame our minds by an outcry, in this House and out of it, that in America the act of navigation neither is, nor ever was, obeyed. But if you take the colonies
20 through, I affirm, that its authority never was disputed ; that it was nowhere disputed for any length of time ; and, on the whole, that it was well observed. Wherever the act passed hard, many individuals indeed evaded it. This is nothing. These scattered individuals never denied the law,
25 and never obeyed it. Just as it happens whenever the laws of trade, whenever the laws of revenue, press hard upon the people in England ; in that case all your shores are full of contraband. Your right to give a monopoly to the East India Company, your right to lay immense duties on French
30 brandy, are not disputed in England. You do not make this charge on any man. But you know that there is not a

creek from Pentland Frith to the Isle of Wight, in which they do not smuggle immense quantities of teas, East India goods, and brandies. I take it for granted, that the authority of Governor Bernard in this point is indisputable. Speaking of these laws as they regarded that part of America now in 5 so unhappy a condition, he says, "I believe they are nowhere better supported than in this province; I do not pretend that it is entirely free from a breach of these laws; but that such a breach, if discovered, is justly punished." What more can you say of the obedience to any laws in any 10 country? An obedience to these laws formed the acknowledgment, instituted by yourselves, for your superiority; and was the payment you originally imposed for your protection.

Whether you were right or wrong in establishing the colonies on the principles of commercial monopoly, rather 15 than on that of revenue, is at this day a problem of mere speculation. You cannot have both by the same authority. To join together the restraints of an universal internal and external monopoly, with an universal internal and external taxation, is an unnatural union; perfect, uncompensated 20 slavery. You have long since decided for yourself and them; and you and they have prospered exceedingly under that decision.

This nation, Sir, never thought of departing from that choice until the period immediately on the close of the 25 last war. Then a scheme of government new in many things seemed to have been adopted. I saw, or I thought I saw, several symptoms of a great change, whilst I sat in your gallery, a good while before I had the honour of a seat in this House. At that period the necessity was established 30 of keeping up no less than twenty new regiments, with

twenty colonels capable of seats in this House. This scheme was adopted with very general applause from all sides, at the very time that, by your conquests in America, your danger from foreign attempts in that part of the world was much lessened, or indeed rather quite over. When this huge increase of military establishment was resolved on, a revenue was to be found to support so great a burthen. Country gentlemen, the great patrons of economy, and the great resisters of a standing armed force, would not have entered with much alacrity into the vote for so large and so expensive an army, if they had been very sure that they were to continue to pay for it. But hopes of another kind were held out to them; and in particular, I well remember, that Mr. Townshend, in a brilliant harangue on this subject, did dazzle them, by playing before their eyes the image of a revenue to be raised in America.

Here began to dawn the first glimmerings of this new colony system. It appeared more distinctly afterwards, when it was devolved upon a person to whom, on other accounts, this country owes very great obligations. I do believe, that he had a very serious desire to benefit the public. But with no small study of the detail, he did not seem to have his view, at least equally, carried to the total circuit of our affairs. He generally considered his objects in lights that were rather too detached. Whether the business of an American revenue was imposed upon him altogether; whether it was entirely the result of his own speculation; or, what is more probable, that his own ideas rather coincided with the instructions he had received; certain it is, that, with the best intentions in the world, he

first brought this fatal scheme into form, and established it by act of parliament.

No man can believe, that at this time of day I mean to lean on the venerable memory of a great man, whose loss we deplore in common. Our little party differences have been long ago composed ; and I have acted more with him, and certainly with more pleasure with him, than ever I acted against him. Undoubtedly Mr. Grenville was a first-rate figure in this country. With a masculine understanding, and a stout and resolute heart, he had an application undissipated and unwearied. He took public business, not as a duty which he was to fulfil, but as a pleasure he was to enjoy ; and he seemed to have no delight out of this House, except in such things as some way related to the business that was to be done within it. If he was ambitious, I will say this for him, his ambition was of a noble and generous strain. It was to raise himself, not by the low, pimping politics of a court, but to win his way to power, through the laborious gradations of public service ; and to secure to himself a well-earned rank in parliament, by a thorough knowledge of its constitution, and a perfect practice in all its business.

Sir, if such a man fell into errors, it must be from defects not intrinsic ; they must be rather sought in the particular habits of his life ; which, though they do not alter the groundwork of character, yet tinge it with their own hue. He was bred in a profession. He was bred to the law, which is, in my opinion, one of the first and noblest of human sciences ; a science which does more to quicken and invigorate the understanding, than all the other kinds of learning put together ; but it is not apt, except in persons very happily

born, to open and to liberalize the mind exactly in the same proportion. Passing from that study he did not go very largely into the world ; but plunged into business ; I mean into the business of office ; and the limited and fixed
5 methods and forms established there. Much knowledge is to be had undoubtedly in that line ; and there is no knowledge which is not valuable. But it may be truly said, that men too much conversant in office are rarely minds of remarkable enlargement. Their habits of office are apt to
10 give them a turn to think the substance of business not to be much more important than the forms in which it is conducted. These forms are adapted to ordinary occasions ; and therefore persons who are nurtured in office do admirably well as long as things go on in their common
15 order ; but when the high roads are broken up, and the waters out, when a new and troubled scene is opened, and the file affords no precedent, then it is that a greater knowledge of mankind, and a far more extensive comprehension of things, is requisite, than ever office gave, or than
20 office can ever give.¹ Mr. Grenville thought better of the wisdom and power of human legislation than in truth it deserves. He conceived, and many conceived along with him, that the flourishing trade of this country was greatly owing to law and institution, and not quite so much to
25 liberty ; for but too many are apt to believe regulation to be commerce, and taxes to be revenue. Among regulations, that which stood first in reputation was his idol. I mean the act of navigation. He has often professed it to be so. The policy of that act is, I readily admit, in many respects,
30 well understood. But I do say, that if the act be suffered to run the full length of its principle, and is not changed

and modified according to the change of times and the fluctuation of circumstances, it must do great mischief, and frequently even defeat its own purpose.

After the war, and in the last years of it, the trade of America had increased far beyond the speculations of the most sanguine imaginations. It swelled out on every side. It filled all its proper channels to the brim. It overflowed with a rich redundance, and breaking its banks on the right and on the left, it spread out upon some places where it was indeed improper, upon others where it was only irregular. It is the nature of all greatness not to be exact; and great trade will always be attended with considerable abuses. The contraband will always keep pace in some measure with the fair trade. It should stand as a fundamental maxim, that no vulgar precaution ought to be employed in the cure of evils, which are closely connected with the cause of our prosperity. Perhaps this great person turned his eyes somewhat less than was just towards the incredible increase of the fair trade; and looked with something of too exquisite jealousy towards the contraband. He certainly felt a singular degree of anxiety on the subject; and even began to act from that passion earlier than is commonly imagined. For whilst he was first lord of the admiralty, though not strictly called upon in his official line, he presented a very strong memorial to the lords of the treasury, (my Lord Bute was then at the head of the board,) heavily complaining of the growth of the illicit commerce in America. Some mischief happened even at that time from this over-earnest zeal. Much greater happened afterwards, when it operated with greater power in the highest department of the finances. The bonds of the act of navigation were straitened so much, that America was

on the point of having no trade; either contraband or legitimate. They found, under the construction and execution then used, the act no longer tying, but actually strangling them. All this coming with new enumerations of commodities ; with regulations which in a manner put a stop to the mutual coasting intercourse of the colonies ; with the appointment of courts of admiralty¹ under various improper circumstances ; with a sudden extinction of the paper currencies ;² with a compulsory provision for the quartering of
15 soldiers ; the people of America thought themselves proceeded against as delinquents, or, at best, as people under suspicion of delinquency ; and in such a manner as, they imagined, their recent services in the war did not at all merit.³ Any of these innumerable regulations, perhaps, would not
15 have alarmed alone ; some might be thought reasonable ; the multitude struck them with terror.

But the grand manoeuvre in that business of new regulating the colonies, was the 15th act of the fourth of George III. ; which, besides containing several of the matters to
20 which I have just alluded, opened a new principle ; and here properly began the second period of the policy of this country with regard to the colonies ; by which the scheme of a regular plantation parliamentary revenue was adopted in theory, and settled in practice. A revenue not substituted
25 in the place of, but superadded to, a monopoly ; which monopoly was enforced at the same time with additional strictness, and the execution put into military hands.

This act, Sir, had for the first time the title of “granting duties in the colonies and plantations of America ;” and for
30 the first time it was asserted in the preamble, “that it was *just and necessary* that a revenue should be raised there.”

Then came the technical words of "giving and granting," and thus a complete American revenue act was made in all the forms, and with a full avowal of the right, equity, policy, and even necessity of taxing the colonies, without any formal consent of theirs. There are contained also in the preamble 5 to that act these very remarkable words—the commons, etc.—“being desirous to make *some* provision in the *present* session of parliament *towards* raising the said revenue.” By these words it appeared to the colonies, that this act was but a beginning of sorrows; that every session was to pro- 10 duce something of the same kind; that we were to go on, from day to day, in charging them with such taxes as we pleased, for such a military force as we should think proper. Had this plan been pursued, it was evident that the provincial assemblies, in which the Americans felt all their portion 15 of importance, and beheld their sole image of freedom, were *ipso facto* annihilated. This ill prospect before them seemed to be boundless in extent, and endless in duration. Sir, they were not mistaken. The ministry valued themselves when this act passed, and when they gave notice of the stamp act, 20 that both of the duties came very short of their ideas of American taxation. Great was the applause of this measure here. In England we cried out for new taxes on America, whilst they cried out that they were nearly crushed with those which the war and their own grants had brought upon 25 them.

9 Sir, it has been said in the debate, that when the first American revenue act (the act in 1764, imposing the port duties) passed, the Americans did not object to the principle.¹ It is true they touched it but very tenderly. It was not a 30 direct attack. They were, it is true, as yet novices; as yet

unaccustomed to direct attacks upon any of the rights of parliament. The duties were port duties, like those they had been accustomed to bear ; with this difference, that the title was not the same, the preamble not the same, and the spirit altogether unlike. But of what service is this observation to the cause of those that make it? It is a full refutation of the pretence for their present cruelty to America ; for it shows, out of their own mouths, that our colonies were backward to enter into the present vexatious and ruinous controversy.

There is also another circulation abroad, (spread with a malignant intention, which I cannot attribute to those who say the same thing in this House,) that Mr. Grenville gave the colony agents an option for their assemblies to tax themselves, which they had refused. I find that much stress is laid on this, as a fact. However, it happens neither to be true nor possible. I will observe first, that Mr. Grenville never thought fit to make this apology for himself in the innumerable debates that were had upon the subject. He might have proposed to the colony agents, that they should agree in some mode of taxation as the ground of an act of parliament. But he never could have proposed that they should tax themselves on requisition, which is the assertion of the day. Indeed, Mr. Grenville well knew, that the colony agents could have no general powers to consent to it ; and they had no time to consult their assemblies for particular powers, before he passed his first revenue act. If you compare dates, you will find it impossible. Burthened as the agents knew the colonies were at that time, they could not give the least hope of such grants. His own favourite governor was of opinion that the Americans were not then taxable objects :

“Nor was the time less favourable to the equity of such a taxation. I don’t mean to dispute the reasonableness of America contributing to the charges of Great Britain when she is able ; nor, I believe, would the Americans themselves have disputed it, at a proper time and season. But it should 5 be considered that the American governments themselves have, in the prosecution of the late war, contracted very large debts; which it will take some years to pay off, and in the mean time occasion very burdensome taxes for that purpose only. For instance, this government, which is as much beforehand as 10 any, raises every year £37,500 sterling for sinking their debt, and must continue it for four years longer at least before it will be clear.”

These are the words of Governor Bernard’s letter to a member of the old ministry, and which he has since printed. 15 Mr. Grenville could not have made this proposition to the agents, for another reason. He was of opinion, which he has declared in this House an hundred times, that the colonies could not legally grant any revenue to the crown ; and that infinite mischiefs would be the consequence of such a power. 20 When Mr. Grenville had passed the first revenue act, and in the same session had made this House come to a resolution for laying a stamp duty on America, between that time and the passing the stamp act into a law, he told a considerable and most respectable merchant, a member of this House, 25 whom I am truly sorry I do not now see in his place, when he represented against this proceeding, that if the stamp duty was disliked, he was willing to exchange it for any other equally productive ; but that, if he objected to the Americans being taxed by parliament, he might save himself the trouble 30 of the discussion, as he was determined on the measure.

This is the fact, and, if you please, I will mention a very unquestionable authority for it.

Thus, Sir, I have disposed of this falsehood. But falsehood has a perennial spring. It is said, that no conjecture could be made of the dislike of the colonies to the principle. This is as untrue as the other. After the resolution of the House, and before the passing of the stamp act, the colonies of Massachusetts Bay and New York did send remonstrances, objecting to this mode of parliamentary taxation. What was the consequence? They were suppressed; they were put under the table, notwithstanding an order of council to the contrary, by the ministry which composed the very council that had made the order: and thus the House proceeded to its business of taxing without the least regular knowledge of the objections which were made to it. But to give that House its due, it was not over-desirous to receive information, or to hear remonstrance. On the 15th of February, 1765, whilst the stamp act was under deliberation, they refused with scorn even so much as to receive four petitions presented from so respectable colonies as Connecticut, Rhode Island, Virginia, and Carolina; besides one from the traders of Jamaica. As to the colonies, they had no alternative left to them, but to disobey; or to pay the taxes imposed by that parliament which was not suffered, or did not suffer itself, even to hear them remonstrate upon the subject.

This was the state of the colonies before his Majesty thought fit to change his ministers. It stands upon no authority of mine. It is proved by uncontrovertible records. The honourable gentleman has desired some of us to lay our hands upon our hearts, and answer to his queries upon the historical part of this consideration; and by his manner (as

well as my eyes could discern it) he seemed to address himself to me.

Sir, I will answer him as clearly as I am able, and with great openness; I have nothing to conceal. In the year sixty-five, being in a very private station, far enough from any line of business, and not having the honour of a seat in this House, it was my fortune, unknowing and unknown to the then ministry, by the intervention of a common friend, to become connected with a very noble person, and at the head of the treasury department. It was indeed in a situation¹ of little rank and no consequence, suitable to the mediocrity of my talents and pretensions. But a situation near enough to enable me to see, as well as others, what was going on; and I did see in that noble person such sound principles, such an enlargement of mind, such clear and sagacious sense, and such unshaken fortitude, as have bound me, as well as others much better than me, by an inviolable attachment to him from that time forward. Sir, Lord Rockingham very early in that summer received a strong representation from many weighty English merchants and manufacturers, from governors of provinces and commanders of men of war, against almost the whole of the American commercial regulations: and particularly with regard to the total ruin which was threatened to the Spanish trade. I believe, Sir, the noble lord soon saw his way in this business. But he did not rashly determine against acts which it might be supposed were the result of much deliberation. However, Sir, he scarcely began to open the ground, when the whole veteran body of office took the alarm. A violent outcry of all (except those who knew and felt the mischief) was raised against any alteration. On one hand, his attempt was a direct vio-

lation of treaties and public law ; on the other, the act of navigation and all the corps of trade laws were drawn up in array against it.

The first step the noble lord took, was to have the opinion
5 of his excellent, learned, and ever-lamented friend the late Mr. Yorke,¹ then attorney-general, on the point of law. When he knew that formally and officially, which in substance he had known before, he immediately despatched orders to redress the grievance. But I will say it for the
10 then minister, he is of that constitution of mind, that I know he would have issued, on the same critical occasion, the very same orders, if the acts of trade had been, as they were not, directly against him ; and would have cheerfully submitted to the equity of parliament for his indemnity.

15 On the conclusion of this business of the Spanish trade, the news of the troubles, on account of the stamp act, arrived in England. It was not until the end of October that these accounts were received. No sooner had the sound of that mighty tempest reached us in England, than the whole of
20 the then opposition, instead of feeling humbled by the unhappy issue of their measures, seemed to be infinitely elated, and cried out, that the ministry, from envy to the glory of their predecessors, were prepared to repeal the stamp act. Near nine years after, the honourable gentleman takes quite
25 opposite ground, and now challenges me to put my hand to my heart, and say, whether the ministry had resolved on the repeal till a considerable time after the meeting of parliament. Though I do not very well know what the honourable gentleman wishes to infer from the admission, or from
30 the denial, of this fact, on which he so earnestly adjures me ; I do put my hand on my heart, and assure him, that they did

not come to a resolution directly to repeal. They weighed this matter as its difficulty and importance required. They considered maturely among themselves. They consulted with all who could give advice or information. It was not determined until a little before the meeting of parliament ; 5 but it was determined, and the main lines of their own plan marked out, before that meeting. Two questions arose — (I hope I am not going into a narrative troublesome to the House) —

[A cry of, Go on, go on.]

10

The first of the two considerations was, whether the repeal should be total, or whether only partial ; taking out everything burthensome and productive, and reserving only an empty acknowledgment, such as a stamp on cards or dice. The other question was, on what principle the act should be 15 repealed? On this head also two principles were started. One, that the legislative rights of this country, with regard to America, were not entire, but had certain restrictions and limitations. The other principle was, that taxes of this kind were contrary to the fundamental principles of commerce on 20 which the colonies were founded ; and contrary to every idea of political equity ; by which equity we are bound, as much as possible, to extend the spirit and benefit of the British constitution to every part of the British dominions. The option, both of the measure, and of the principle of repeal, 25 was made before the session ; and I wonder how any one can read the king's speech at the opening of that session, without seeing in that speech both the repeal and the declaratory act very sufficiently crayoned out. Those who cannot see this can see nothing.

30

Surely the honourable gentleman will not think that a

great deal less time than was then employed ought to have been spent in deliberation, when he considers that the news of the troubles did not arrive till towards the end of October. The parliament sat to fill the vacancies on the 14th day of
5 December, and on business the 14th of the following January.

59 Sir, a partial repeal, or, as the *bon ton* of the court then was, a *modification*, would have satisfied a timid, unsystematic, procrastinating ministry, as such a measure has since done such a ministry. A modification is the constant re-
10 source of weak, undeciding minds. To repeal by the denial of our right to tax in the preamble, (and this too did not want advisers,) would have cut, in the heroic style, the Gordian knot with a sword. Either measure would have cost no more than a day's debate. But when the total re-
15 peal was adopted; and adopted on principles of policy, of equity, and of commerce; this plan made it necessary to enter into many and difficult measures. It became necessary to open a very large field of evidence commensurate to these extensive views. But then this labor did knight's service.
20 It opened the eyes of several to the true state of the American affairs; it enlarged their ideas; it removed prejudices; and it conciliated the opinions and affections of men. The noble lord, who then took the lead in administration, my honourable friend¹ under me, and a right honourable gentle-
25 man,² (if he will not reject his share, and it was a large one, of this business,) exerted the most laudable industry in bringing before you the fullest, most impartial, and least garbled body of evidence that ever was produced to this House. I think the inquiry lasted in the committee for six weeks;
30 and, at its conclusion, this House, by an independent, noble, spirited, and unexpected majority; by a majority that will

redeem all the acts ever done by majorities in parliament ; in the teeth of all the old mercenary Swiss of state, in despite of all the speculators and augurs of political events, in defiance of the whole embattled legion of veteran pensioners and practised instruments of a court, gave a total repeal to the stamp act, and (if it had been so permitted) a lasting peace to this whole empire. 5

I state, Sir, these particulars, because this act of spirit and fortitude has lately been, in the circulation of the season, and in some hazarded declamations in this House, attributed to timidity. If, Sir, the conduct of ministry, in proposing the repeal, had arisen from timidity with regard to themselves, it would have been greatly to be condemned. Interested timidity disgraces as much in the cabinet, as personal timidity does in the field. But timidity, with regard to the well-being of our country, is heroic virtue. The noble lord who then conducted affairs, and his worthy colleagues, whilst they trembled at the prospect of such distresses as you have since brought upon yourselves, were not afraid steadily to look in the face that glaring and dazzling influence at which the eyes of eagles have blenched. He looked in the face one of the ablest, and, let me say, not the most scrupulous, oppositions, that perhaps ever was in this House ; and withstood it, unaided by even one of the usual supports of administration. He did this when he repealed the stamp act. He looked in the face of a person he had long respected and regarded, and whose aid was then particularly wanting ; I mean Lord Chatham. He did this when he passed the declaratory act. 15 20 25

It is now given out for the usual purposes by the usual emissaries, that Lord Rockingham did not consent to the 30

repeal of this act until he was bullied into it by Lord Chatham ; and the reporters have gone so far as publicly to assert, in a hundred companies, that the honourable gentleman under the gallery¹ who proposed the repeal in the American
5 committee, had another set of resolutions in his pocket directly the reverse of those he moved. These artificers of a desperate cause are at this time spread abroad, with incredible care, in every part of the town, from the highest to the lowest companies ; as if the industry of the circulation were
10 to make amends for the absurdity of the report.

6 2 Sir, whether the noble lord is of a complexion to be bullied by Lord Chatham, or by any man, I must submit to those who know him. I confess, when I look back to that time, I consider him as placed in one of the most trying situations in
15 which, perhaps, any man ever stood. In the House of Peers there were very few of the ministry, out of the noble lord's own particular connexion, (except Lord Egmont, who acted, as far as I could discern, an honourable and manly part,) that did not look to some other future arrangement, which
20 warped his politics. There were in both Houses new and menacing appearances, that might very naturally drive any other, than a most resolute minister, from his measure or from his station. The household troops openly revolted. The allies of ministry (those, I mean, who supported some
25 of their measures, but refused responsibility for any) endeavoured to undermine their credit, and to take ground that must be fatal to the success of the very cause which they would be thought to countenance. The question of the repeal was brought on by ministry in the committee of this
30 House, in the very instant when it was known that more than one court negotiation was carrying on with the heads of

the opposition. Everything, upon every side, was full of traps and mines. Earth below shook ; heaven above menaced ; all the elements of ministerial safety were dissolved. It was in the midst of this chaos of plots and counter-plots ; it was in the midst of this complicated warfare against public op- 5 position and private treachery, that the firmness of that noble person was put to the proof. He never stirred from his ground ; no, not an inch. He remained fixed and determined, in principle, in measure, and in conduct. He practised no managements. He secured no retreat. He sought 10 no apology.¹

63 I will likewise do justice, I ought to do it, to the honourable gentleman who led us in this House. Far from the duplicity wickedly charged on him, he acted his part with alacrity and resolution. We all felt inspired by the example 15 he gave us, down even to myself, the weakest in that phalanx. I declare for one, I knew well enough (it could not be concealed from anybody) the true state of things ; but, in my life, I never came with so much spirits into this House. It was a time for a *man* to act in. We had power- 20 ful enemies ; but we had faithful and determined friends ; and a glorious cause. We had a great battle to fight ; but we had the means of fighting ; not as now, when our arms are tied behind us. We did fight that day, and conquer.

61 I remember, Sir, with a melancholy pleasure, the situation 25 of the honourable gentleman who made the motion for the repeal ; in that crisis, when the whole trading interest of this empire, crammed into your lobbies, with a trembling and anxious expectation, waited, almost to a winter's return of light, their fate from your resolutions. When, at length, 30 you had determined in their favour, and your doors, thrown

open, showed them the figure of their deliverer in the well-earned triumph of his important victory, from the whole of that grave multitude there arose an involuntary burst of gratitude and transport. They jumped upon him like children on a long absent father. They clung about him as captives about their redeemer. All England, all America, joined to his applause. Nor did he seem insensible to the best of all earthly rewards, the love and admiration of his fellow-citizens. *Hope elevated and joy brightened his crest.*

10 I stood near him ; and his face, to use the expression of the Scripture of the first martyr, "his face was as if it had been the face of an angel." I do not know how others feel ; but if I had stood in that situation, I never would have exchanged it for all that kings in their profusion could bestow.

15 I did hope that that day's danger and honour would have been a bond to hold us all together for ever. But, alas ! that, with other pleasing visions, is long since vanished.¹

Sir, this act of supreme magnanimity has been represented, as if it had been a measure of an administration, that

20 having no scheme of their own, took a middle line, pilfered a bit from one side and a bit from the other. Sir, they took *no* middle lines. They differed fundamentally from the schemes of both parties ; but they preserved the objects of both. They preserved the authority of Great Britain. They

25 preserved the equity of Great Britain. They made the declaratory act ; they repealed the stamp act. They did both *fully* ; because the declaratory act was *without qualification* ; and the repeal of the stamp act *total*. This they did in the situation I have described.

30 Now, Sir, what will the adversary say to both these acts ? If the principle of the declaratory act was not good, the

principle we are contending for this day is monstrous. If the principle of the repeal was not good, why are we not at war for a real, substantial, effective revenue? If both were bad, why has this ministry incurred all the inconveniencies of both and of all schemes? Why have they enacted, repealed, enforced, yielded, and now attempt to enforce again?

Sir, I think I may as well now, as at any other time, speak to a certain matter of fact, not wholly unrelated to the question under your consideration. We, who would persuade you to revert to the ancient policy of this kingdom, labour under the effect of this short current phrase, which the court leaders have given out to all their corps, in order to take away the credit of those who would prevent you from that frantic war you are going to wage upon your colonies. Their cant is this; "All the disturbances in America have been created by the repeal of the stamp act." I suppress for a moment my indignation at the falsehood, baseness, and absurdity of this most audacious assertion. Instead of remarking on the motives and character of those who have issued it for circulation, I will clearly lay before you the state of America, antecedently to that repeal; after the repeal; and since the renewal of the schemes of American taxation.

It is said, that the disturbances, if there were any, before the repeal, were slight; and without difficulty or inconvenience might have been suppressed. For an answer to this assertion I will send you to the great author and patron of the stamp act, who certainly meaning well to the authority of this country, and fully apprized of the state of that, made, before a repeal was so much as agitated in this House, the motion which is on your journals; and which, to save the

clerk the trouble of turning to it, I will now read to you. It was for an amendment to the address of the 17th of December, 1765 :

“ *To express our just resentment and indignation at the*
5 *outrages, tumults, and insurrections which have been excited*
and carried on in North America ; and at the resistance
given, by open and rebellious force, to the execution of the
laws in that part of his Majesty's dominions. And to assure
his Majesty, that his faithful commons, animated with the
10 *warmest duty and attachment to his royal person and gov-*
ernment, will firmly and effectually support his Majesty in all
such measures as shall be necessary for preserving and sup-
porting the legal dependence of the colonies on the mother
country,” &c. &c.

15 Here was certainly a disturbance preceding the repeal ;
such a disturbance as Mr. Grenville thought necessary to
qualify by the name of an *insurrection*, and the epithet of
a *rebellious* force : terms much stronger than any by which
those, who then supported his motion, have ever since thought
20 proper to distinguish the subsequent disturbances in Amer-
ica. They were disturbances which seemed to him and his
friends to justify as strong a promise of support, as hath been
usual to give in the beginning of a war with the most power-
ful and declared enemies. When the accounts of the Amer-
25 ican governors came before the House, they appeared
stronger even than the warmth of public imagination had
painted them ; so much stronger, that the papers on your
table bear me out in saying, that all the late disturbances,
which have been at one time the minister's motives for the
30 repeal of five out of six of the new court taxes, and are
now his pretences for refusing to repeal that sixth, did not

amount—why do I compare them?—no, not to a tenth part of the tumults and violence which prevailed long before the repeal of that act.

Ministry cannot refuse the authority of the commander in chief, General Gage, who, in his letter of the 4th of November, from New York, thus represents the state of things :

“ It is difficult to say, from the highest to the lowest, who has not been accessory to this insurrection, either by writing or mutual agreements, to oppose the act, by what they are pleased to term all legal apposition to it. Nothing effectual has been proposed, either to prevent or quell the tumult. The rest of the provinces are in the same situation as to a positive refusal to take the stamps ; and threatening those who shall take them, to plunder and murder them ; and this affair stands in all the provinces, that unless the act, from its own nature, enforce itself, nothing but a very considerable military force can do it.”

It is remarkable, Sir, that the persons who formerly trumpeted forth the most loudly, the violent resolutions of assemblies ; the universal insurrections ; the seizing and burning the stamped papers ; the forcing stamp officers to resign their commissions under the gallows ; the rifling and pulling down of the houses of magistrates ; and the expulsion from their country of all who dared to write or speak a single word in defence of the powers of parliament ; these very trumpeters are now the men that represent the whole as a mere trifle ; and choose to date all the disturbances from the repeal of the stamp act, which put an end to them. Hear your officers abroad, and let them refute this shameful falsehood, who, in all their correspondence, state the disturbances as owing to their true causes, the discontent

of the people, from the taxes. You have this evidence in your own archives — and it will give you complete satisfaction ; if you are not so far lost to all parliamentary ideas of information, as rather to credit the lie of the day, than the
5 records of your own House.

72 Sir, this vermin of court reporters, when they are forced into day upon one point, are sure to burrow in another ; but they shall have no refuge ; I will make them bolt out of all their holes. Conscious that they must be baffled, when they
10 attribute a precedent disturbance to a subsequent measure, they take other ground, almost as absurd, but very common in modern practice, and very wicked ; which is, to attribute the ill-effect of ill-judged conduct to the arguments which had been used to dissuade us from it. They say, that the
15 opposition made in parliament to the stamp act at the time of its passing, encouraged the Americans to their resistance. This has even formally appeared in print in a regular volume, from an advocate of that faction, a Dr. Tucker. This Dr. Tucker is already a dean, and his earnest labors in this
20 vineyard will, I suppose, raise him to a bishopric.¹ But this assertion too, just like the rest, is false. In all the papers which have loaded your table ; in all the vast crowd of verbal witnesses that appeared at your bar, witnesses which were indiscriminately produced from both sides of the House ; not
25 the least hint of such a cause of disturbance has ever appeared. As to the fact of a strenuous opposition to the stamp act, I sat as a stranger in your gallery when the act was under consideration. Far from anything inflammatory, I never heard a more languid debate in this House. No more
30 than two or three gentlemen, as I remember, spoke against the act, and that with great reserve, and remarkable temper.

There was but one division in the whole progress of the bill ; and the minority did not reach to more than 39 or 40. In the House of Lords I do not recollect that there was any debate or division at all. I am sure there was no protest. In fact, the affair passed with so very, very little noise, that 5 in town they scarcely knew the nature of what you were doing. The opposition to the bill in England never could have done this mischief, because there scarcely ever was less of opposition to a bill of consequence.

3 Sir, the agents and distributors of falsehoods have, with 10 their usual industry, circulated another lie of the same nature with the former. It is this, that the disturbances arose from the account which had been received in America of the change in the ministry. No longer awed, it seems, with the spirit of the former rulers, they thought themselves 15 a match for what our calumniators chose to qualify by the name of so feeble a ministry as succeeded. Feeble in one sense these men certainly may be called ; for, with all their efforts, and they have made many, they have not been able to resist the distempered vigour, and insane alacrity, with 20 which you are rushing to your ruin. But it does so happen, that the falsity of this circulation is (like the rest) demonstrated by indisputable dates and records.

74 So little was the change known in America, that the letters of your governors, giving an account of these dis- 25 turbances long after they had arrived at their highest pitch, were all directed to the *old ministry*, and particularly to the *Earl of Halifax*, the secretary of state corresponding with the colonies, without once in the smallest degree intimating the slightest suspicion of any ministerial revolution what- 30 soever. The ministry was not changed in England until

the 10th day of July, 1765. On the 14th of the preceding June, Governor Fauquier from Virginia writes thus ; and writes thus to the Earl of Halifax : “ *Government is set at defiance, not having strength enough in her hands to enforce*
 5 *obedience to the laws of the community. The private distress which every man feels, increases the general dissatisfaction at the duties laid by the stamp act, which breaks out and shows itself upon every trifling occasion.*” The general dissatisfaction had produced some time before, that is, on
 10 the 29th of May, several strong public resolves against the stamp act ; and those resolves are assigned by Governor Bernard as the cause of the *insurrections* in Massachusetts Bay, in his letter of the 15th of August, still addressed to the Earl of Halifax ; and he continued to address such
 15 accounts to that minister quite to the 7th of September of the same year. Similar accounts, and of as late a date, were sent from other governors, and all directed to Lord Halifax. Not one of these letters indicates the slightest idea of a change, either known, or even apprehended.

75 20 Thus are blown away the insect race of courtly falsehoods ! thus perish the miserable inventions of the wretched runners for a wretched cause, which they have fly-blown into every weak and rotten part of the country, in vain hopes that when their maggots had taken wing, their importunate
 25 buzzing might sound something like the public voice !

76 Sir, I have troubled you sufficiently with the state of America before the repeal. Now I turn to the honourable gentleman who so stoutly challenges us to tell, whether, after the repeal, the provinces were quiet ? This is coming
 30 home to the point. Here I meet him directly ; and answer most readily, *They were quiet.* And I, in my turn, challenge

him to prove when, and where, and by whom, and in what numbers, and with what violence, the other laws of trade, as gentlemen assert, were violated in consequence of your concession? or that even your other revenue laws were attacked? But I quit the vantage-ground on which I stand, and where I might leave the burthen of the proof upon him: I walk down upon the open plain, and undertake to show, that they were not only quiet, but showed many unequivocal marks of acknowledgment and gratitude. And to give him every advantage, I select the obnoxious colony of Massachusetts Bay, which at this time (but without hearing her) is so heavily a culprit before parliament — I will select their proceedings even under circumstances of no small irritation. For, a little imprudently, I must say, Governor Bernard mixed in the administration of the lenitive of the repeal no small acrimony arising from matters of a separate nature. Yet see, Sir, the effect of that lenitive, though mixed with these bitter ingredients; and how this rugged people can express themselves on a measure of concession.

"If it is not in our power," (say they in their address to Governor Bernard,) *"in so full a manner as will be expected, to show our respectful gratitude to the mother country, or to make a dutiful and affectionate return to the indulgence of the king and parliament, it shall be no fault of ours; for this we intend, and hope we shall be able fully to effect."*

Would to God that this temper had been cultivated, managed, and set in action! other effects than those which we have since felt would have resulted from it. On the requisition for compensation to those who had suffered from the violence of the populace, in the same address they say, *"The recommendation enjoined by Mr. Secretary Conway's letter,*

and in consequence thereof made to us, we will embrace the first convenient opportunity to consider and act upon." They did consider ; they did act upon it. They obeyed the requisition. I know the mode has been chicaned upon ; but it
 5 was substantially obeyed ; and much better obeyed than I fear the parliamentary requisition of this session will be, though enforced by all your rigour, and backed with all your power. In a word, the damages of popular fury were compensated by legislative gravity. Almost every other part of
 10 America in various ways demonstrated their gratitude. I am bold to say, that so sudden a calm recovered after so violent a storm is without parallel in history. To say that no other disturbance should happen from any other cause, is folly. But as far as appearances went, by the judicious sacri-
 15 fice of one law, you procured an acquiescence in all that remained. After this experience, nobody shall persuade me, when a whole people are concerned, that acts of lenity are not means of conciliation.

77 I hope the honourable gentleman has received a fair and
 20 full answer to his question.

80 I have done with the third period of your policy ; that of your repeal ; and the return of your ancient system, and your ancient tranquillity and concord. Sir, this period was not as long as it was happy. Another scene was opened,
 25 and other actors appeared on the stage. The state, in the condition I have described it, was delivered into the hands of Lord Chatham — a great and celebrated name ; a name that keeps the name of this country respectable in every other on the globe. It may be truly called,

30

*Clarum et venerabile nomen*¹

Gentibus, et multum nostræ quod proderat urbi.

Sir, the venerable age of this great man, his merited rank, his superior eloquence, his splendid qualities, his eminent services, the vast space he fills in the eye of mankind ; and, more than all the rest, his fall from power, which, like death, canonizes and sanctifies a great character, will not suffer me 5 to censure any part of his conduct. I am afraid to flatter him ; I am sure I am not disposed to blame him. Let those, who have betrayed him by their adulation, insult him with their malevolence. But what I do not presume to censure, I may have leave to lament. For a wise man, he seemed to 10 me at that time to be governed too much by general maxims. I speak with the freedom of history, and I hope without offence. One or two of these maxims, flowing from an opinion not the most indulgent to our unhappy species, and surely a little too general, led him into measures that were 15 greatly mischievous to himself ; and for that reason, among others, fatal to his country ; measures, the effects of which, I am afraid, are for ever incurable. He made an administration, so checkered and speckled ; he put together a piece of joinery, so crossly indented and whimsically dove-tailed ; a 20 cabinet so variously inlaid ; such a piece of diversified Mosaic ; such a tessellated pavement without cement ; here a bit of black stone, and there a bit of white ; patriots and courtiers, king's friends and republicans ; whigs and tories ; treacherous friends and open enemies ; that it was indeed a 25 very curious show ; but utterly unsafe to touch, and unsure to stand on. The colleagues whom he had assorted at the same boards, stared at each other, and were obliged to ask, "Sir, your name?—Sir, you have the advantage of me—Mr. Such-a-one—I beg a thousand pardons—" I venture 30 to say, it did so happen, that persons had a single office

divided between them, who had never spoke to each other in their lives, until they found themselves, they knew not how, pigging together, heads and points, in the same truckle-bed.¹

5 Sir, in consequence of this arrangement, having put so much the larger part of his enemies and opposers into power, the confusion was such, that his own principles could not possibly have any effect or influence in the conduct of affairs. If ever he fell into a fit of the gout, or if any other cause
10 withdrew him from public cares, principles directly the contrary were sure to predominate. When he had executed his plan, he had not an inch of ground to stand upon. When he had accomplished his scheme of administration, he was no longer a minister.

15 When his face was hid but for a moment, his whole system was on a wide sea, without chart or compass. The gentlemen, his particular friends, who, with the names of various departments of ministry, were admitted to seem as if they acted a part under him, with a modesty that becomes all
20 men, and with a confidence in him, which was justified even in its extravagance by his superior abilities, had never, in any instance, presumed upon any opinion of their own. Deprived of his guiding influence, they were whirled about, the sport of every gust, and easily driven into any port ; and
25 as those who joined with them in manning the vessel were the most directly opposite to his opinions, measures, and character, and far the most artful and most powerful of the set, they easily prevailed, so as to seize upon the vacant, unoccupied, and derelict minds of his friends ; and instantly
30 they turned the vessel wholly out of the course of his policy. As if it were to insult as well as to betray him, even long

before the close of the first session of his administration, when everything was publicly transacted, and with great parade, in his name, they made an act, declaring it highly just and expedient to raise a revenue in America. For even then, Sir, even before this splendid orb was entirely set, and while the western horizon was in a blaze with his descending glory, on the opposite quarter of the heavens arose another luminary, and, for his hour, became lord of the ascendant.

This light too is passed and set for ever. You understand, to be sure, that I speak of Charles Townshend, officially the re-producer of this fatal scheme ; whom I cannot even now remember without some degree of sensibility. In truth, Sir, he was the delight and ornament of this House, and the charm of every private society which he honoured with his presence. Perhaps there never arose in this country, nor in any country, a man of a more pointed and finished wit ; and (where his passions were not concerned) of a more refined, exquisite, and penetrating judgment. If he had not so great a stock, as some have had who flourished formerly, of knowledge long treasured up, he knew better, by far, than any man I ever was acquainted with, how to bring together, within a short time, all that was necessary to establish, to illustrate, and to decorate that side of the question he supported. He stated his matter skilfully and powerfully. He particularly excelled in a most luminous explanation and display of his subject. His style of argument was neither trite and vulgar, nor subtle and abstruse. He hit the House just between wind and water. — And not being troubled with too anxious a zeal for any matter in question, he was never more tedious, or more earnest, than the pre-conceived opinions and present temper of his hearers required ; to whom

he was always in perfect unison. He conformed exactly to the temper of the House ; and he seemed to guide, because he was also sure to follow it.

5 I beg pardon, Sir, if, when I speak of this and of other great men, I appear to digress in saying something of their characters. In this eventful history of the revolutions of America, the characters of such men are of much importance. Great men are the guide-posts and land-marks in the state. The credit of such men at court, or in the nation, is the sole
10 cause of all the public measures. It would be an invidious thing (most foreign, I trust, to what you think my disposition) to remark the errors into which the authority of great names has brought the nation, without doing justice, at the same time, to the great qualities whence that authority arose. The
15 subject is instructive to those who wish to form themselves on whatever of excellence has gone before them. There are many young members in the House (such of late has been the rapid succession of public men) who never saw that prodigy, Charles Townshend ; nor of course know what a
20 ferment he was able to excite in everything by the violent ebullition of his mixed virtues and failings. For failings he had undoubtedly — many of us remember them ; we are this day considering the effect of them. But he had no failings which were not owing to a noble cause ; to an ardent, gen-
25 erous, perhaps an immoderate, passion for fame ; a passion which is the instinct of all great souls. He worshipped that goddess wheresoever she appeared ; but he paid his particular devotions to her in her favourite habitation, in her chosen temple, the House of Commons. Besides the characters of
30 the individuals that compose our body, it is impossible, Mr. Speaker, not to observe that this House has a collective char-

acter of its own. That character too, however imperfect, is not unamiable. Like all great public collections of men, you possess a marked love of virtue and an abhorrence of vice. But among vices, there is none which the House abhors in the same degree with *obstinacy*. Obstinacy, Sir, is certainly 5 a great vice ; and in the changeful state of political affairs it is frequently the cause of great mischief. It happens, however, very unfortunately, that almost the whole line of the great and masculine virtues, constancy, gravity, magnanimity, fortitude, fidelity, and firmness, are closely allied 10 to this disagreeable quality, of which you have so just an abhorrence ; and, in their excess, all these virtues very easily fall into it. He, who paid such a punctilious attention to all your feelings, certainly took care not to shock them by that vice which is the most disgusting to you. 15

That fear of displeasing those who ought most to be pleased, betrayed him sometimes into the other extreme. He had voted, and, in the year 1765, had been an advocate, for the stamp act. Things and the disposition of men's minds were changed. In short, the stamp act began to be 20 no favourite in this House. He therefore attended at the private meeting, in which the resolutions moved by a right honourable gentleman were settled ; resolutions leading to the repeal. The next day he voted for that repeal ; and he would have spoken for it too, if an illness, (not, as was then 25 given out, a political,) but to my knowledge, a very real illness, had not prevented it.

The very next session, as the fashion of this world passeth away, the repeal began to be in as bad an odour in this House as the stamp act had been in the session before. To 30 conform to the temper which began to prevail, and to pre-

vail mostly amongst those most in power, he declared, very early in the winter, that a revenue must be had out of America. Instantly he was tied down to his engagements by some, who had no objection to such experiments, when
5 made at the cost of persons for whom they had no particular regard. The whole body of courtiers drove him onward. They always talked as if the king stood in a sort of humiliated state, until something of the kind should be done.

Here, this extraordinary man, then chancellor of the ex-
10 chequer, found himself in great straits. To please universally was the object of his life ; but to tax and to please, no more than to love and to be wise, is not given to men. However, he attempted it. To render the tax palatable to the partisans of American revenue, he had a preamble stating
15 the necessity of such a revenue. To close with the American distinction, this revenue was *external* or port duty ; but again, to soften it to the other party, it was a duty of *supply*. To gratify the *colonists*, it was laid on British manufactures ; to satisfy the *merchants of Britain*, the duty was trivial, and
20 (except that on tea, which touched only the devoted East India Company) on none of the grand objects of commerce. To counterwork the American contraband, the duty on tea was reduced from a shilling to three-pence. But to secure the favour of those who would tax America, the scene of col-
25 lection was changed, and, with the rest, it was levied in the colonies. What need I say more? This fine-spun scheme had the usual sate of all exquisite policy. But the original plan of the duties, and the mode of executing that plan, both arose singly and solely from a love of our applause.
30 He was truly the child of the House. He never thought, did, or said anything, but with a view to you. He every

day adapted himself to your disposition ; and adjusted himself before it as at a looking-glass.¹

He had observed (indeed it could not escape him) that several persons, infinitely his inferiors in all respects, had formerly rendered themselves considerable in this House by one method alone. They were a race of men (I hope in God the species is extinct) who, when they rose in their place, no man living could divine, from any known adherence to parties, to opinions, or to principles, from any order or system in their politics, or from any sequel or connexion in their ideas, what part they were going to take in any debate. It is astonishing how much this uncertainty, especially at critical times, called the attention of all parties on such men. All eyes were fixed on them, all ears open to hear them ; each party gaped, and looked alternately for their vote, almost to the end of their speeches. While the House hung in this uncertainty, now the *hear him*s rose from his side — now they rebellowed from the other ; and that party, to whom they fell at length from their tremulous and dancing balance, always received them in a tempest of applause. The fortune of such men was a temptation too great to be resisted by one, to whom a single whiff of incense withheld gave much greater pain, than he received delight in the clouds of it, which daily rose about him from the prodigal superstition of innumerable admirers. He was a candidate for contradictory honours ; and his great aim was to make those agree in admiration of him who never agreed in anything else.

Hence arose this unfortunate act, the subject of this day's debate ; from a disposition which, after making an American revenue to please one, repealed it to please others, and again

revived it in hopes of pleasing a third, and of catching something in the ideas of all.

This revenue act of 1767 formed the fourth period of American policy. How we have fared since then — what
5 woeful variety of schemes have been adopted ; what enforcing, and what repealing ; what bullying, and what submitting ; what doing, and undoing ; what straining, and what relaxing ; what assemblies dissolved for not obeying, and called again without obedience ; what troops sent out to quell resistance,
10 and on meeting that resistance, recalled ; what shiftings, and changes, and jumbings of all kinds of men at home, which left no possibility of order, consistency, vigour, or even so much as a decent unity of colour in any one public measure. — It is a tedious, irksome task. My duty may call me to
15 open it out some other time ; on a former occasion¹ I tried your temper on a part of it ; for the present I shall forbear.

After all these changes and agitations, your immediate
situation upon the question on your paper is at length brought to this. You have an act of parliament, stating, that “ it is
20 *expedient* to raise a revenue in America.” By a partial repeal you annihilated the greatest part of that revenue, which this preamble declares to be so expedient. You have substituted no other in the place of it. A secretary of state has disclaimed, in the king’s name, all thoughts of such a substitution in future. The principle of this disclaimer goes to what
25 has been left, as well as what has been repealed. The tax which lingers after its companions (under a preamble declaring an American revenue expedient, and for the sole purpose of supporting the theory of that preamble) militates with the
30 assurance authentically conveyed to the colonies ; and is an exhaustless source of jealousy and animosity. On this state,

which I take to be a fair one ; not being able to discern any grounds of honour, advantage, peace, or power, for adhering, either to the act or to the preamble, I shall vote for the question which leads to the repeal of both.

2 If you do not fall in with this motion, then secure some- 5
thing to fight for, consistent in theory and valuable in practice. If you must employ your strength, employ it to uphold you in some honourable right, or some profitable wrong. If you are apprehensive that the concession recommended to you, though proper, should be a means of drawing on you further 10
but unreasonable claims, — why then employ your force in supporting that reasonable concession against those unreasonable demands. You will employ it with more grace ; with better effect ; and with great probable concurrence of all the quiet and rational people in the provinces ; who are now 15
united with, and hurried away by, the violent ; having indeed different dispositions, but a common interest. If you apprehend that on a concession you shall be pushed by metaphysical process to the extreme lines, and argued out of your whole authority, my advice is this ; when you have recovered 20
your old, your strong, your tenable position, then face about — stop short — do nothing more — reason not at all — oppose the ancient policy and practice of the empire, as a rampart against the speculations of innovators on both sides of the question ; and you will stand on great, manly, and sure 25
ground. On this solid basis fix your machines, and they will draw worlds towards you.

Your ministers, in their own and his Majesty's name, have already adopted the American distinction of internal and external duties. It is a distinction, whatever merit it may 30
have, that was originally moved by the Americans them-

selves ; and I think they will acquiesce in it, if they are not pushed with too much logic and too little sense, in all the consequences. That is, if external taxation be understood, as they and you understand it, when you please, to be not a distinction of geography, but of policy ; that it is a power for regulating trade, and not for supporting establishments. The distinction, which is as nothing with regard to right, is of most weighty consideration in practice. Recover your old ground, and your old tranquillity — try it — I am persuaded the Americans will compromise with you. When confidence is once restored, the odious and suspicious *summum jus* will perish of course. The spirit of practicability, of moderation, and mutual convenience, will never call in geometrical exactness as the arbitrator of amicable settlement. Consult and follow your experience. Let not the long story, with which I have exercised your patience, prove fruitless to your interests.

For my part, I should choose (if I could have my wish) that the proposition of the honourable gentleman¹ for the repeal could go to America without the attendance of the penal bills. Alone I could almost answer for its success. I cannot be certain of its reception in the bad company it may keep. In such heterogeneous assortments, the most innocent person will lose the effect of his innocency. Though you should send out this angel of peace, yet you are sending out a destroying angel too : and what would be the effect of the conflict of these two adverse spirits, or which would predominate in the end, is what I dare not say : whether the lenient measures would cause American passion to subside, or the severe would increase its fury — all this is in the hand of Providence. Yet now, even now, I should confide

in the prevailing virtue and efficacious operation of lenity, though working in darkness, and in chaos, in the midst of all this unnatural and turbid combination : I should hope it might produce order and beauty in the end.

Let us, Sir, embrace some system or other before we end 5 this session. Do you mean to tax America, and to draw a productive revenue from thence? If you do, speak out ; name, fix, ascertain this revenue ; settle its quantity ; define its objects ; provide for its collection ; and then fight when you have something to fight for. If you murder, rob ; if 10 you kill, take possession : and do not appear in the character of madmen, as well as assassins, violent, vindictive, bloody, and tyrannical, without an object. But may better counsels guide you !

Again, and again, revert to your own principles — seek 15 peace and ensue it — leave America, if she has taxable matter in her, to tax herself. I am not here going into the distinctions of rights, not attempting to mark their boundaries. I do not enter into these metaphysical distinctions ; I hate the very sound of them. Leave the Americans as they 20 anciently stood, and these distinctions, born of our unhappy contest, will die along with it. They and we, and their and our ancestors, have been happy under that system. Let the memory of all actions, in contradiction to that good old mode, on both sides, be extinguished for ever. Be content 25 to bind America by laws of trade ; you have always done it. Let this be your reason for binding their trade. Do not burthen them by taxes ; you were not used to do so from the beginning. Let this be your reason for not taxing. These are the arguments of states and kingdoms. Leave 30 the rest to the schools ; for there only they may be dis-

cussed with safety. But if, intemperately, unwisely, fatally, you sophisticate and poison the very source of government, by urging subtle deductions, and consequences odious to those you govern, from the unlimited and illimitable nature
5 of supreme sovereignty, you will teach them by these means to call that sovereignty itself in question. When you drive him hard, the boar will surely turn upon the hunters. If that sovereignty and their freedom cannot be reconciled, which will they take? They will cast your sovereignty in
10 your face. Nobody will be argued into slavery. Sir, let the gentlemen on the other side call forth all their ability; let the best of them get up, and tell me, what one character of liberty the Americans have, and what one brand of slavery they are free from, if they are bound in their property and
15 industry, by all the restraints you can imagine on commerce, and at the same time are made pack-horses of every tax you choose to impose, without the least share in granting them. When they bear the burthens of unlimited monopoly, will you bring them to bear the burthens of unlimited revenue
20 too? The Englishman in America will feel that this is slavery—that it is *legal* slavery, will be no compensation, either to his feelings or his understanding.

97 A noble lord,¹ who spoke some time ago, is full of the fire of ingenious youth; and when he has modelled the ideas of
25 a lively imagination by further experience, he will be an ornament to his country in either House. He has said, that the Americans are our children, and how can they revolt against their parent? He says, that if they are not free in their present state, England is not free; because Manchester,
30 and other considerable places, are not represented. So then, because some towns in England are not represented, America

is to have no representative at all. They are "our children ;" but when children ask for bread we are not to give a stone. Is it because the natural resistance of things, and the various mutations of time, hinders our government, or any scheme of government, from being any more than a sort of approxima- 5
tion to the right, is it therefore that the colonies are to recede from it infinitely? When this child of ours wishes to assimilate to its parent, and to reflect with a true filial resemblance the beauteous countenance of British liberty ; are we to turn to them the shameful parts of our constitution? are we to 10
give them our weakness for their strength? our opprobrium for their glory? and the slough of slavery, which we are not able to work off, to serve them for their freedom?

If this be the case, ask yourselves this question, Will they be content in such a state of slavery? If not, look to the 15
consequences. Reflect how you are to govern a people, who think they ought to be free, and think they are not. Your scheme yields no revenue ; it yields nothing but discontent, disorder, disobedience ; and such is the state of America, that after wading up to your eyes in blood, you could only 20
end just where you begun ; that is, to tax where no revenue is to be found, to — my voice fails me ; my inclination indeed carries me no farther—all is confusion beyond it.

Well, Sir, I have recovered a little, and before I sit down I must say something to another point with which gentlemen 25
urge us. What is to become of the declaratory act asserting the entireness of British legislative authority, if we abandon the practice of taxation?

For my part I look upon the rights stated in that act, exactly in the manner in which I viewed them on its very 30
first proposition, and which I have often taken the liberty,

with great humility, to lay before you. I look, I say, on the imperial rights of Great Britain, and the privileges which the colonists ought to enjoy under these rights, to be just the most reconcilable things in the world. The parliament of
5 Great Britain sits at the head of her extensive empire in two capacities : one as the local legislature of this island, providing for all things at home, immediately, and by no other instrument than the executive power. — The other, and I think her nobler capacity, is what I call her *imperial character* ; in
10 which, as from the throne of heaven, she superintends all the several inferior legislatures, and guides and controls them all, without annihilating any. As all these provincial legislatures are only co-ordinate to each other, they ought all to be subordinate to her ; else they can neither preserve mutual
15 peace, nor hope for mutual justice, nor effectually afford mutual assistance. It is necessary to coerce the negligent, to restrain the violent, and to aid the weak and deficient, by the overruling plenitude of her power. She is never to intrude into the place of the others, whilst they are equal to
20 the common ends of their institution. But in order to enable parliament to answer all these ends of provident and beneficent superintendence, her powers must be boundless. The gentlemen who think the powers of parliament limited, may please themselves to talk of requisitions. But suppose the
25 requisitions are not obeyed ? What ! Shall there be no reserved power in the empire, to supply a deficiency which may weaken, divide, and dissipate the whole ? We are engaged in war — the secretary of state calls upon the colonies to contribute — some would do it, I think most would cheerfully
30 furnish whatever is demanded — one or two, suppose, hang back, and, easing themselves, let the stress of the draft lie

on the others—surely it is proper, that some authority might legally say—“Tax yourselves for the common supply, or parliament will do it for you.” This backwardness was, as I am told, actually the case of Pennsylvania for some short time towards the beginning of the last war, owing to some internal dissensions in the colony. But whether the fact were so, or otherwise, the case is equally to be provided for by a competent sovereign power. But then this ought to be no ordinary power ; nor ever used in the first instance. This is what I meant, when I have said at various times, that I consider the power of taxing in parliament as an instrument of empire, and not as a means of supply.

Such, Sir, is my idea of the constitution of the British empire, as distinguished from the constitution of Britain ; and on these grounds I think subordination and liberty may be sufficiently reconciled through the whole ; whether to serve a refining speculatist, or a factious demagogue, I know not ; but enough surely for the ease and happiness of man.

Sir, whilst we held this happy course, we drew more from the colonies than all the impotent violence of despotism ever could extort from them. We did this abundantly in the last war. It has never been once denied — and what reason have we to imagine that the colonies would not have proceeded in supplying government as liberally, if you had not stepped in and hindered them from contributing, by interrupting the channel in which their liberality flowed with so strong a course ; by attempting to take, instead of being satisfied to receive ? Sir William Temple says, that Holland has loaded itself with ten times the impositions which it revolted from Spain rather than submit to. He says true. Tyranny is a poor provider. It knows neither how to accumulate, nor how to extract.

3 I charge therefore to this new and unfortunate system the loss not only of peace, of union, and of commerce, but even of revenue, which its friends are contending for. — It is morally certain, that we have lost at least a million of free grants
5 since the peace. I think we have lost a great deal more ; and that those, who look for a revenue from the provinces, never could have pursued, even in that light, a course more directly repugnant to their purposes.

10 Now, Sir, I trust I have shown, first on that narrow ground which the honourable gentleman measured, that you are likely to lose nothing by complying with the motion, except what you have lost already. I have shown afterwards, that in time of peace you flourished in commerce, and, when war required it, had sufficient aid from the colonies, while you
15 pursued your ancient policy ; that you threw everything into confusion when you made the stamp act ; and that you restored everything to peace and order when you repealed it. I have shown that the revival of the system of taxation has produced the very worst effects ; and that the partial
20 repeal has produced, not partial good, but universal evil. Let these considerations, founded on facts, not one of which can be denied, bring us back to our reason by the road of our experience.

25 I cannot, as I have said, answer for mixed measures : but surely this mixture of lenity would give the whole a better chance of success. When you once regain confidence, the way will be clear before you. Then you may enforce the act of navigation when it ought to be enforced. You will yourselves open it where it ought still further to be opened.
30 Proceed in what you do, whatever you do, from policy, and not from rancour. Let us act like men, let us act like states-

men. Let us hold some sort of consistent conduct. — It is agreed that a revenue is not to be had in America. If we lose the profit, let us get rid of the odium.

On this business of America, I confess I am serious, even to sadness. I have had but one opinion concerning it since I sat, and before I sat, in parliament. The noble lord¹ will, as usual, probably attribute the part taken by me and my friends in this business, to a desire of getting his places. Let him enjoy this happy and original idea. If I deprived him of it, I should take away most of his wit, and all his argument. But I had rather bear the brunt of all his wit, and indeed blows much heavier, than stand answerable to God for embracing a system that tends to the destruction of some of the very best and fairest of his works. But I know the map of England, as well as the noble lord, or as any other person, and I know that the way I take is not the road to preferment. My excellent and honourable friend under me on the floor² has trod that road with great toil for upwards of twenty years together. He is not yet arrived at the noble lord's destination. However, the tracks of my worthy friend are those I have ever wished to follow; because I know they lead to honour. Long may we tread the same road together; whoever may accompany us, or whoever may laugh at us on our journey! I honestly and solemnly declare, I have in all seasons adhered to the system of 1766, for no other reason, than that I think it laid deep in your truest interest — and that, by limiting the exercise, it fixes, on the firmest foundations, a real, consistent, well-grounded authority in parliament. Until you come back to that system, there will be no peace for England.

SPEECH OF EDMUND BURKE, Esq.,
ON
HIS ARRIVAL AT BRISTOL.

OCTOBER 13, 1774.



GENTLEMEN : I am come hither to solicit in person, that favour which my friends have hitherto endeavoured to procure for me, by the most obliging, and to me the most honourable, exertions.

5 I have so high an opinion of the great trust which you have to confer on this occasion ; and, by long experience, so just a diffidence in my abilities to fill it in a manner adequate even to my own ideas, that I should never have ventured of myself to intrude into that awful situation. But since I
10 am called upon by the desire of several respectable fellow-subjects, as I have done at other times, I give up my fears to their wishes. Whatever my other deficiencies may be, I do not know what it is to be wanting to my friends.

I am not fond of attempting to raise public expectation
15 by great promises. At this time, there is much cause to consider, and very little to presume. We seem to be approaching to a great crisis in our affairs, which calls for the whole wisdom of the wisest among us, without being able to assure ourselves, that any wisdom can preserve us from
20 many and great inconveniences. You know I speak of our unhappy contest with America. I confess, it is a matter on

which I look down as from a precipice. It is difficult in itself, and it is rendered more intricate by a great variety of plans of conduct. I do not mean to enter into them. I will not suspect a want of good intention in framing them. But however pure the intentions of their authors may have 5 been, we all know that the event has been unfortunate. The means of recovering our affairs are not obvious. So many great questions of commerce, of finance, of constitution, and of policy, are involved in this American deliberation, that I dare engage for nothing, but that I shall 10 give it, without any predilection to former opinions, or any sinister bias whatsoever, the most honest and impartial consideration of which I am capable. The public has a full right to it; and this great city, a main pillar in the commercial interest of Great Britain, must totter on its base 15 by the slightest mistake with regard to our American measures.

Thus much, however, I think it not amiss to lay before you; That I am not, I hope, apt to take up or lay down my opinions lightly. I have held, and ever shall maintain, to 20 the best of my power, unimpaired and undiminished, the just, wise, and necessary constitutional superiority of Great Britain. This is necessary for America as well as for us. I never mean to depart from it. Whatever may be lost by it, I avow it. The forfeiture even of your favour, if by such a 25 declaration I could forfeit it, though the first object of my ambition, never will make me disguise my sentiments on this subject.

But, — I have ever had a clear opinion, and have ever held a constant correspondent conduct, that this superiority 30 is consistent with all the liberties a sober and spirited Amer-

ican ought to desire. I never mean to put any colonist, or any human creature, in a situation not becoming a free-man. To reconcile British superiority with American liberty shall be my great object, as far as my little faculties extend.

5 I am far from thinking that both, even yet, may not be preserved.

When I first devoted myself to the public services I considered how I should render myself fit for it ; and this I did by endeavouring to discover what it was that gave this country the rank it holds in the world. I found that our prosperity and dignity arose principally, if not solely, from two sources ; our constitution, and commerce. Both these I have spared no study to understand, and no endeavour to support.

15 The distinguishing part of our constitution is its liberty. To preserve that liberty inviolate, seems the particular duty and proper trust of a member of the House of Commons. But the liberty, the only liberty I mean, is a liberty connected with order ; that not only exists along with order and
20 virtue, but which cannot exist at all without them. It inheres in good and steady government, as in its substance and vital principle.

The other source of our power is commerce, of which you are so large a part, and which cannot exist, no more than
25 your liberty, without a connexion with many virtues. It has ever been a very particular and a very favourite object of my study, in its principles, and in its details. I think many here are acquainted with the truth of what I say. This I know, that I have ever had my house open, and my poor
30 services ready, for traders and manufacturers of every denomination. My favourite ambition is to have those services

acknowledged. I now appear before you to make trial, whether my earnest endeavours have been so wholly oppressed by the weakness of my abilities, as to be rendered insignificant in the eyes of a great trading city; or whether you choose to give a weight to humble abilities, for the sake of the honest exertions with which they are accompanied. This is my trial to-day. My industry is not on trial. Of my industry I am sure, as far as my constitution of mind and body admitted.

When I was invited by many respectable merchants, freeholders, and freemen of this city, to offer them my services, I had just received the honour of an election at another place, at a very great distance from this. I immediately opened the matter to those of my worthy constituents who were with me, and they unanimously advised me not to decline it. They told me, that they had elected me with a view to the public service: and as great questions relative to our commerce and colonies were imminent, that in such matters I might derive authority and support from the representation of this great commercial city; they desired me therefore to set off without delay, very well persuaded that I never could forget my obligations to them, or to my friends, for the choice they have made of me. From that time to this instant I have not slept; and if I should have the honour of being freely chosen by you, I hope I shall be as far from slumbering or sleeping when your service requires me to be awake, as I have been in coming to offer myself a candidate for your favour.

SPEECH OF EDMUND BURKE, Esq.,
TO THE
ELECTORS OF BRISTOL
AT THE
CONCLUSION OF THE POLL.

Nov. 3, 1774.

GENTLEMEN: I cannot avoid sympathizing strongly with the feelings of the gentleman who has received the same honour that you have conferred on me. If he, who was bred and passed his whole life amongst you; if he, who through
5 the easy gradations of acquaintance, friendship, and esteem, has obtained the honour, which seems of itself, naturally and almost insensibly, to meet with those, who, by the even tenour of pleasing manners and social virtues, slide into the love and confidence of their fellow-citizens;—if he cannot speak
10 but with great emotion on this subject, surrounded as he is on all sides with his old friends; you will have the goodness to excuse me, if my real, unaffected embarrassment prevents me from expressing my gratitude to you as I ought.

I was brought hither under the disadvantage of being unknown, even by sight, to any of you. No previous canvass
15 was made for me. I was put in nomination after the poll was opened. I did not appear until it was far advanced. If, under all these accumulated disadvantages, your good

opinion has carried me to this happy point of success ; you will pardon me, if I can only say to you collectively, as I said to you individually, simply, and plainly, I thank you — I am obliged to you — I am not insensible of your kindness.

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This is all that I am able to say for the inestimable favour you have conferred upon me. But I cannot be satisfied, without saying a little more in defence of the right you have to confer such a favour. The person that appeared here as counsel for the candidate, who so long and so earnestly so-
solicited your votes, thinks proper to deny, that a very great
part of you have any votes to give. He fixes a standard
period of time in his own imagination, not what the law
defines, but merely what the convenience of his client sug-
gests, by which he would cut off, at one stroke, all those
freedoms which are the dearest privileges of your corporation ;
which the common law authorizes ; which your magistrates
are compelled to grant ; which come duly authenticated into
this court ; and are saved in the clearest words, and with the
most religious care and tenderness, in that very act of parlia-
ment, which was made to regulate the elections by freemen,
and to prevent all possible abuses in making them.

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I do not intend to argue the matter here. My learned counsel has supported your cause with his usual ability ; the worthy sheriffs have acted with their usual equity, and I have
no doubt, that the same equity, which dictates the return,
will guide the final determination. I had the honour, in
conjunction with many far wiser men, to contribute a very
small assistance, but, however, some assistance, to the form-
ing the judicature which is to try such questions. It would
be unnatural in me to doubt the justice of that court, in the

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trial of my own cause, to which I have been so active to give jurisdiction over every other.

I assure the worthy freemen, and this corporation, that, if the gentleman perseveres in the intentions which his present
 5 warmth dictates to him, I will attend their cause with diligence, and I hope with effect. For, if I know anything of myself, it is not my own interest in it, but my full conviction, that induces me to tell you — *I think there is not a shadow of doubt in the case.*

10 I do not imagine that you find me rash in declaring myself, or very forward in troubling you. From the beginning to the end of the election, I have kept silence in all matters of discussion. I have never asked a question of a voter on the other side, or supported a doubtful vote on my own. I
 15 respected the abilities of my managers ; I relied on the candour of the court. I think the worthy sheriffs will bear me witness, that I have never once made an attempt to impose upon their reason, to surprise their justice, or to ruffle their temper. I stood on the hustings (except when I gave my
 20 thanks to those who favoured me with their votes) less like a candidate, than an unconcerned spectator of a public proceeding. But here the face of things is altered. Here is an attempt for a general *massacre* of suffrages ; an attempt, by a promiscuous carnage of *friends* and *foes*, to exterminate
 25 above two thousand votes, including *seven hundred polled for the gentleman himself, who now complains*, and who would destroy the friends whom he has obtained, only because he cannot obtain as many of them as he wishes.

How he will be permitted, in another place, to stultify and
 30 disable himself, and to plead against his own acts, is another question. The law will decide it. I shall only speak of it

as it concerns the propriety of public conduct in this city. I do not pretend to lay down rules of decorum for other gentlemen. They are best judges of the mode of proceeding that will recommend them to the favour of their fellow-citizens. But I confess I should look rather awkward, if I had been 5 the *very first to produce the new copies of freedom*, if I had persisted in producing them to the last ; if I had ransacked, with the most unremitting industry and the most penetrating research, the remotest corners of the kingdom to discover them ; if I were then, all at once, to turn short, and declare, 10 that I had been sporting all this while with the right of election ; and that I had been drawing out a poll, upon no sort of rational grounds, which disturbed the peace of my fellow-citizens for a month together — I really, for my part, should appear awkward under such circumstances. 15

It would be still more awkward in me, if I were gravely to look the sheriffs in the face, and to tell them, they were not to determine my cause on my own principles ; not to make the return upon those votes upon which I had rested my election. Such would be my appearance to the court and 20 magistrates.

But how should I appear to the *voters* themselves? If I had gone round to the citizens entitled to freedom, and squeezed them by the hand — “ Sir, I humbly beg your vote — I shall be eternally thankful — may I hope for the honour 25 of your support? — Well ! — come — we shall see you at the council-house ” — If I were then to deliver them to my managers, pack them into tallies, vote them off in court, and when I heard from the bar — “ Such a one only ! and such a one for ever ! — he’s my man ! ” — “ Thank you, good Sir — 30 Hah ! my worthy friend ! thank you kindly — that’s an

honest fellow — how is your good family?" — Whilst these words were hardly out of my mouth, if I should have wheeled round at once, and told them — "Get you gone, you pack of worthless fellows ! you have no votes — you are
 5 usurpers ! you are intruders on the rights of real freemen ! I will have nothing to do with you ! you ought never to have been produced at this election, and the sheriffs ought not to have admitted you to poll."

Gentlemen, I should make a strange figure if my conduct
 10 had been of this sort. I am not so old an acquaintance of yours as the worthy gentleman. Indeed I could not have ventured on such kind of freedoms with you. But I am bound, and I will endeavour, to have justice done to the rights of freemen ; even though I should, at the same time,
 15 be obliged to vindicate the former¹ part of my antagonist's conduct against his own present inclinations.

I owe myself, in all things, to *all* the freemen of this city. My particular friends have a demand on me that I should not deceive their expectations. Never was cause or man
 20 supported with more constancy, more activity, more spirit. I have been supported with a zeal indeed and heartiness in my friends, which (if their object had been at all proportioned to their endeavours) could never be sufficiently commended. They supported me upon the most liberal principles.
 25 They wished that the members for Bristol should be chosen for the city, and for their country at large, and not for themselves.

So far they are not disappointed. If I possess nothing else, I am sure I possess the temper that is fit for your service.
 30 I know nothing of Bristol, but by the favours I have received, and the virtues I have seen exerted in it.

I shall ever retain, what I now feel, the most perfect and grateful attachment to my friends — and I have no enmities; no resentment. I never can consider fidelity to engagements, and constancy in friendships, but with the highest approbation; even when those noble qualities are employed against my own pretensions. The gentleman, who is not so fortunate as I have been in this contest, enjoys, in this respect, a consolation full of honour both to himself and to his friends. They have certainly left nothing undone for his service.

As for the trifling petulance, which the rage of party stirs up in little minds, though it should show itself even in this court, it has not made the slightest impression on me. The highest flight of such clamorous birds is winged in an inferior reign of the air. We hear them, and we look upon them, just as you, gentlemen, when you enjoy the serene air on your lofty rocks, look down upon the gulls that skim the mud of your river, when it is exhausted of its tide.

I am sorry I cannot conclude without saying a word on a topic touched upon by my worthy colleague. I wish that topic had been passed by at a time when I have so little leisure to discuss it. But since he has thought proper to throw it out, I owe you a clear explanation of my poor sentiments on that subject.

He tells you that “the topic of instructions has occasioned much altercation and uneasiness in this city”; and he expresses himself (if I understand him rightly) in favour of the coercive authority of such instructions.

Certainly, gentlemen, it ought to be the happiness and glory of a representative to live in the strictest union, the closest correspondence, and the most unreserved communi-

cation with his constituents. Their wishes ought to have great weight with him ; their opinion, high respect ; their business, unremitted attention. It is his duty to sacrifice his repose, his pleasures, his satisfactions, to theirs ; and
5 above all, ever, and in all cases, to prefer their interest to his own. But his unbiassed opinion, his mature judgment, his enlightened conscience, he ought not to sacrifice to you, to any man, or to any set of men living. These he does not derive from your pleasure ; no, nor from the law and the
10 constitution. They are a trust from Providence, for the abuse of which he is deeply answerable. Your representative owes you, not his industry only, but his judgment ; and he betrays, instead of serving you, if he sacrifices it to your opinion.

15 My worthy colleague says, his will ought to be subservient to yours. If that be all, the thing is innocent. If government were a matter of will upon any side, yours, without question, ought to be superior. But government and legislation are matters of reason and judgment, and not of
20 inclination ; and what sort of reason is that, in which the determination precedes the discussion ; in which one set of men deliberate, and another decide ; and where those who form the conclusion are perhaps three hundred miles distant from those who hear the arguments ?

25 To deliver an opinion, is the right of all men ; that of constituents is a weighty and respectable opinion, which a representative ought always to rejoice to hear ; and which he ought always most seriously to consider. But *authoritative* instructions ; *mandates* issued, which the member is
30 bound blindly and implicitly to obey, to vote, and to argue for, though contrary to the clearest conviction of his judg-

ment and conscience, — these are things utterly unknown to the laws of this land, and which arise from a fundamental mistake of the whole order and tenor of our constitution.

Parliament is not a *congress* of ambassadors from different and hostile interests ; which interests each must maintain, as 5 an agent and advocate, against other agents and advocates ; but parliament is a *deliberative* assembly of *one* nation, with *one* interest, that of the whole ; where, not local purposes, not local prejudices, ought to guide, but the general good, resulting from the general reason of the whole. You choose 10 a member indeed ; but when you have chosen him, he is not member of Bristol, but he is a member of *parliament*. If the local constituent should have an interest, or should form an hasty opinion, evidently opposite to the real good of the rest of the community, the member for that place ought to 15 be as far, as any other, from any endeavour to give it effect. I beg pardon for saying so much on this subject. I have been unwillingly drawn into it ; but I shall ever use a respectful frankness of communication with you. Your faithful 20 friend, your devoted servant, I shall be to the end of my life : a flatterer you do not wish for. On this point of instructions, however, I think it scarcely possible we ever can have any sort of difference. Perhaps I may give you too much, rather than too little, trouble.

From the first hour I was encouraged to court your favour, 25 to this happy day of obtaining it, I have never promised you anything but humble and persevering endeavours to do my duty. The weight of that duty, I confess, makes me tremble ; and whoever well considers what it is, of all things in the world, will fly from what has the least likeness to a positive 30 and precipitate engagement. To be a good member of par-

liament is, let me tell you, no easy task ; especially at this time, when there is so strong a disposition to run into the perilous extremes of servile compliance or wild popularity. To unite circumspection with vigour, is absolutely necessary ;
 5 but it is extremely difficult. We are now members for a rich commercial *city* ; this city, however, is but a part of a rich commercial *nation*, the interests of which are various, multiform, and intricate. We are members for that great nation, which, however, is itself but part of a great *empire*,
 10 extended by our virtue and our fortune to the farthest limits of the east and of the west. All these wide-spread interests must be considered ; must be compared ; must be reconciled, if possible. We are members for a *free* country ; and surely we all know, that the machine of a free constitution is no
 15 simple thing ; but as intricate and as delicate as it is valuable. We are members in a great and ancient *monarchy* ; and we must preserve religiously the true legal rights of the sovereign, which form the key-stone that binds together the noble and well-constructed arch of our empire and our con-
 20 stitution. A constitution made up of balanced powers must ever be a critical thing. As such I mean to touch that part of it which comes within my reach. I know my inability, and I wish for support from every quarter. In particular I shall aim at the friendship, and shall cultivate the best cor-
 25 respondence, of the worthy colleague you have given me.

I trouble you no further than once more to thank you all ; you, gentlemen, for your favours ; the candidates, for their temperate and polite behaviour ; and the sheriffs, for a conduct which may give a model for all who are in public
 30 stations.

SPEECH OF EDMUND BURKE, Esq.,
ON
MOVING HIS RESOLUTIONS
FOR
CONCILIATION WITH THE COLONIES.

MARCH 22, 1775.

I HOPE, Sir, that, notwithstanding the austerity of the Chair, your good-nature will incline you to some degree of indulgence towards human frailty. You will not think it unnatural, that those who have an object depending, which strongly engages their hopes and fears, should be somewhat 5 inclined to superstition. As I came into the House full of anxiety about the event of my motion, I found, to my infinite surprise, that the grand penal bill, by which he had passed sentence on the trade and sustenance of America, is to be returned to us from the other House.¹ I do confess, 10 I could not help looking on this event as a fortunate omen. I look upon it as a sort of providential favour ; by which we are put once more in possession of our deliberate capacity, upon a business so very questionable in its nature, so very uncertain in its issue. By the return of this bill, which 15 seemed to have taken its flight for ever, we are at this very instant nearly as free to choose a plan for our American government as we were on the first day of the session. If, Sir,

we incline to the side of conciliation, we are not at all embarrassed (unless we please to make ourselves so) by any incongruous mixture of coercion and restraint. We are therefore called upon, as it were by a superior warning
5 voice, again to attend to America; to attend to the whole of it together; and to review the subject with an unusual degree of care and calmness.

Surely it is an awful subject; or there is none so on this side of the grave. When I first had the honour of a seat in
10 this House, the affairs of that continent pressed themselves upon us, as the most important and most delicate object of parliamentary attention. My little share in this great deliberation oppressed me. I found myself a partaker in a very high trust; and having no sort of reason to rely on the
15 strength of my natural abilities for the proper execution of that trust, I was obliged to take more than common pains to instruct myself in everything which relates to our colonies. I was not less under the necessity of forming some fixed ideas concerning the general policy of the British empire. Some-
20 thing of this sort seemed to be indispensable; in order, amidst so vast a fluctuation of passions and opinions, to concentrate my thoughts; to ballast my conduct; to preserve me from being blown about by every wind of fashionable doctrine. I really did not think it safe, or manly, to have fresh
25 principles to seek upon every fresh mail which should arrive from America.

At that period I had the fortune to find myself in perfect concurrence with a large majority in this House.¹ Bowing
under that high authority, and penetrated with the sharp-
30 ness and strength of that early impression, I have continued ever since, without the least deviation, in my original senti-

ments. Whether this be owing to an obstinate perseverance in error, or to a religious adherence to what appears to me truth and reason, it is in your equity to judge.

Sir, parliament having an enlarged view of objects, made, during this interval, more frequent changes in their sentiments and their conduct, than could be justified in a particular person upon the contracted scale of private information. But though I do not hazard anything approaching to censure on the motives of former parliaments to all those alterations, one fact is undoubted, — that under them the state of America has been kept in continual agitation. Everything administered as remedy to the public complaint, if it did not produce, was at least followed by, an heightening of the distemper ; until, by a variety of experiments, that important country has been brought into her present situation ; — a situation which I will not miscall, which I dare not name ; which I scarcely know how to comprehend in the terms of any description. 5 10 15 20

In this posture, Sir, things stood at the beginning of the session. About that time, a worthy member¹ of great parliamentary experience, who, in the year 1766, filled the chair of the American committee with much ability, took me aside ; and, lamenting the present aspect of our politics, told me, things were come to such a pass, that our former methods of proceeding in the House would be no longer tolerated. That the public tribunal (never too indulgent to a long and unsuccessful opposition) would now scrutinize our conduct with unusual severity. That the very vicissitudes and shiftings of ministerial measures, instead of convicting their authors of inconstancy and want of system, would be taken as an occasion of charging us with a predetermined discontent, 25 30

which nothing could satisfy ; whilst we accused every measure of vigour as cruel, and every proposal of lenity as weak and irresolute. The public, he said, would not have patience to see us play the game out with our adversaries : we must produce our hand. It would be expected, that those who for many years had been active in such affairs should show that they had formed some clear and decided idea of the principles of colony government ; and were capable of drawing out something like a platform of the ground which might be laid for future and permanent tranquillity.

I felt the truth of what my honourable friend represented ; but I felt my situation too. His application might have been made with far greater propriety to many other gentlemen. No man was indeed ever better disposed, or worse qualified, for such an undertaking, than myself. Though I gave so far in to his opinion, that I immediately threw my thoughts into a sort of parliamentary form, I was by no means equally ready to produce them. It generally argues some degree of natural impotence of mind, or some want of knowledge of the world, to hazard plans of government except from a seat of authority. Propositions are made, not only ineffectually, but somewhat disreputably, when the minds of men are not properly disposed for their reception ; and for my part, I am not ambitious of ridicule ; not absolutely a candidate for disgrace.

Besides, Sir, to speak the plain truth, I have in general no very exalted opinion of the virtue of paper government ; nor of any politics in which the plan is to be wholly separated from the execution. But when I saw that anger and violence prevailed every day more and more ; and that things were hastening towards an incurable alienation of

our colonies ; I confess my caution gave way. I felt this, as one of those few moments in which decorum yields to a higher duty. Public calamity is a mighty leveller ; and there are occasions when any, even the slightest, chance of doing good, must be laid hold on, even by the most 5 inconsiderable person.

To restore order and repose to an empire so great and so distracted as ours, is, merely in the attempt, an undertaking that would ennoble the flights of the highest genius, and obtain pardon for the efforts of the meanest under- 10 standing. Struggling a good while with these thoughts, by degrees I felt myself more firm. I derived, at length, some confidence from what in other circumstances usually produces timidity. I grew less anxious, even from the idea of my own insignificance. For, judging of what you are by 15 what you ought to be, I persuaded myself that you would not reject a reasonable proposition because it had nothing but its reason to recommend it. On the other hand, being totally destitute of all shadow of influence, natural or adventitious, I was very sure, that, if my proposition were futile 20 or dangerous ; if it were weakly conceived, or improperly timed, there was nothing exterior to it, of power to awe, dazzle, or delude you. You will see it just as it is : and you will treat it just as it deserves.

The proposition is peace. Not peace through the me- 25 dium of war ; not peace to be hunted through the labyrinth of intricate and endless negotiations ; not peace to arise out of universal discord, fomented from principle, in all parts of the empire ; not peace to depend on the juridical determination of perplexing questions, or the precise mark- 30 ing the shadowy boundaries of a complex government. It

is simple peace ; sought in its natural course, and in its ordinary haunts. — It is peace sought in the spirit of peace ; and laid in principles purely pacific. I propose, by removing the ground of the difference, and by restoring the *former*
5 *unsuspecting confidence of the colonies in the mother country*, to give permanent satisfaction to your people ; and (far from a scheme of ruling by discord) to reconcile them to each other in the same act, and by the bond of the very same interest which reconciles them to British government.

10 My idea is nothing more. Refined policy ever has been the parent of confusion ; and ever will be so, as long as the world endures. Plain good intention, which is as easily discovered at the first view, as fraud is surely detected at last, is, let me say, of no mean force in the government of
15 mankind. Genuine simplicity of heart is an healing and cementing principle. My plan, therefore, being formed upon the most simple grounds imaginable, may disappoint some people, when they hear it. It has nothing to recommend it to the pruriency of curious ears. There is
20 nothing at all new and captivating in it. It has nothing of the splendour of the project, which has been lately laid upon your table by the noble lord in the blue riband.¹ It does not propose to fill your lobby with squabbling colony agents, who will require the interposition of your mace, at
25 every instant, to keep the peace amongst them. It does not institute a magnificent auction of finance, where captivated provinces come to general ransom by bidding against each other, until you knock down the hammer, and determine a proportion of payments beyond all the powers of
30 algebra to equalize and settle.

The plan which I shall presume to suggest, derives, how-

ever, one great advantage from the proposition and registry of that noble lord's project. The idea of conciliation is admissible. First, the House, in accepting the resolution moved by the noble lord, has admitted, notwithstanding the menacing front of our address,¹ notwithstanding our heavy bill of pains and penalties—that we do not think ourselves precluded from all ideas of free grace and bounty. 5

The House has gone further ; it has declared conciliation admissible, *previous* to any submission on the part of America. It has even shot a good deal beyond that mark, and has admitted, that the complaints of our former mode of exerting the right of taxation were not wholly unfounded. 10 That right thus exerted is allowed to have had something reprehensible in it ; something unwise, or something grievous ; since, in the midst of our heat and resentment, we, of ourselves, have proposed a capital alteration ; and, in order to get rid of what seemed so very exceptionable, have instituted a mode that is altogether new ; one that is, indeed, wholly alien from all the ancient methods and forms of parliament. 15

20 :

The *principle* of this proceeding is large enough for my purpose. The means proposed by the noble lord for carrying his ideas into execution, I think, indeed, are very indifferently suited to the end ; and this I shall endeavour to show you before I sit down. But, for the present, I take my ground on the admitted principle. I mean to give peace. 25 Peace implies reconciliation ; and, where there has been a material dispute, reconciliation does in a manner always imply concession on the one part or on the other. In this state of things I make no difficulty in affirming that the proposal ought to originate from us. Great and acknowledged 30

force is not impaired, either in effect or in opinion, by an unwillingness to exert itself. The superior power may offer peace with honour and with safety. Such an offer from such a power will be attributed to magnanimity. But the concessions of the weak are the concessions of fear. When such a one is disarmed, he is wholly at the mercy of his superior ; and he loses for ever that time and those chances, which, as they happen to all men, are the strength and resources of all inferior power.

10 The capital leading questions on which you must this day decide, are these two : First, whether you ought to concede ; and secondly, what your concession ought to be. On the first of these questions we have gained (as I have just taken the liberty of observing to you) some ground. But I am
15 sensible that a good deal more is still to be done. Indeed, Sir, to enable us to determine both on the one and the other of these great questions with a firm and precise judgment, I think it may be necessary to consider distinctly the true nature and the peculiar circumstances of the object which
20 we have before us. Because after all our struggle, whether we will or not, we must govern America according to that nature, and to those circumstances ; and not according to our own imaginations ; nor according to abstract ideas of right ; by no means according to mere general theories of
25 government, the resort to which appears to me, in our present situation, no better than arrant trifling. I shall therefore endeavour, with your leave, to lay before you some of the most material of these circumstances in as full and as clear a manner as I am able to state them.

30 The first thing that we have to consider with regard to the nature of the object is — the number of people in the

colonies. I have taken for some years a good deal of pains on that point. I can by no calculation justify myself in placing the number below two millions of inhabitants of our own European blood and colour ; besides at least 500,000 others, who form no inconsiderable part of the strength and opulence of the whole. This, Sir, is, I believe, about the true number. There is no occasion to exaggerate, where plain truth is of so much weight and importance. But whether I put the present numbers too high or too low, is a matter of little moment. Such is the strength with which population shoots in that part of the world, that state the numbers as high as we will, whilst the dispute continues, the exaggeration ends. Whilst we are discussing any given magnitude, they are grown to it. Whilst we spend our time in deliberating on the mode of governing two millions, we shall find we have millions more to manage. Your children do not grow faster from infancy to manhood, than they spread from families to communities, and from villages to nations.¹

I put this consideration of the present and the growing numbers in the front of our deliberation ; because, Sir, this consideration will make it evident to a blunter discernment than yours, that no partial, narrow, contracted, pinched, occasional system will be at all suitable to such an object. It will show you, that it is not to be considered as one of those *minima*² which are out of the eye and consideration of the law ; not a paltry excrescence of the state ; not a mean dependent, who may be neglected with little damage, and provoked with little danger. It will prove that some degree of care and caution is required in the handling such an object ; it will show that you ought not, in reason, to trifle with so

large a mass of the interests and feelings of the human race. You could at no time do so without guilt ; and be assured you will not be able to do it long with impunity.

But the population of this country, the great and growing
5 population, though a very important consideration, will lose much of its weight, if not combined with other circumstances. The commerce of your colonies is out of all proportion beyond the numbers of the people. This ground of their commerce indeed has been trod some days ago, and with great
10 ability, by a distinguished person,¹ at your bar. This gentleman, after thirty-five years—it is so long since he first appeared at the same place to plead for the commerce of Great Britain—has come again before you to plead the same cause, without any other effect of time, than, that to
15 the fire of imagination and extent of erudition, which even then marked him as one of the first literary characters of his age, he has added a consummate knowledge in the commercial interest of his country, formed by a long course of enlightened and discriminating experience.

20 Sir, I should be inexcusable in coming after such a person with any detail, if a great part of the members who now fill the House had not the misfortune to be absent when he appeared at your bar. Besides, Sir, I propose to take the matter at periods of time somewhat different from his.
25 There is, if I mistake not, a point of view, from whence if you will look at this subject, it is impossible that it should not make an impression upon you.

I have in my hand two accounts ; one a comparative state of the export trade of England to its colonies, as it stood in
30 the year 1704, and as it stood in the year 1772. The other a state of the export trade of this country to its colonies

alone, as it stood in 1772, compared with the whole trade of England to all parts of the world (the colonies included) in the year 1704. They are from good vouchers; the latter period from the accounts on your table, the earlier from an original manuscript of Davenant, who first established the inspector-general's office, which has been ever since his time so abundant a source of parliamentary information. 5

The export trade to the colonies consists of three great branches. The African, which, terminating almost wholly in the colonies, must be put to the account of their commerce;¹ the West Indian;² and the North American. All these are so interwoven, that the attempt to separate them, would tear to pieces the contexture of the whole; and if not entirely destroy, would very much depreciate the value of all the parts. I therefore consider these three denomi- 15 nations to be, what in effect they are, one trade.

The trade to the colonies, taken on the export side, at the beginning of this century, that is, in the year 1704, stood thus:

Exports to North America, and the West Indies	. £483,265	20
To Africa 86,665	
	<u>£569,930</u>	

In the year 1772, which I take as a middle year between the highest and lowest of those lately laid on your table, the account was as follows: 25

To North America, and the West Indies	. . £4,791,734	
To Africa 866,398	
To which if you add the export trade from Scotland, which had in 1704 no existence	364,000	
	<u>£6,022,132</u>	30

From five hundred and odd thousand, it has grown to six millions. It has increased no less than twelve-fold. This is the state of the colony trade, as compared with itself at these two periods, within this century ;—and this is matter
 5 for meditation. But this is not all. Examine my second account. See how the export trade to the colonies alone in 1772 stood in the other point of view, that is, as compared to the whole trade of England in 1704.

The whole export trade of England, including that to		
10	the colonies, in 1704	£6,509,000
	Export to the colonies alone, in 1772	6,024,000
	Difference	<u>£485,000</u>

The trade with America alone is now within less than
 £500,000 of being equal to what this great commercial
 15 nation, England, carried on at the beginning of this century with the whole world ! If I had taken the largest year of those on your table, it would rather have exceeded. But, it will be said, is not this American trade an unnatural protuberance, that has drawn the juices from the rest of the
 20 body? The reverse. It is the very food that has nourished every other part into its present magnitude. Our general trade has been greatly augmented, and augmented more or less in almost every part to which it ever extended ; but with this material difference, that of the six millions which
 25 in the beginning of the century constituted the whole mass of our export commerce, the colony trade was but one-twelfth part ; it is now (as a part of sixteen millions) considerably more than a third of the whole. This is the relative proportion of the importance of the colonies at these two periods :
 30 and all reasoning concerning our mode of treating them

must have this proportion as its basis, or it is a reasoning weak, rotten, and sophistical.¹

Mr. Speaker, I cannot prevail on myself to hurry over this great consideration. It is good for us to be here. We stand where we have an immense view of what is, and what is past. 5 Clouds, indeed, and darkness rest upon the future. Let us, however, before we descend from this noble eminence, reflect that this growth of our national prosperity has happened within the short period of the life of man. It has happened within sixty-eight years. There are those alive whose mem- 10 ory might touch the two extremities. For instance, my Lord Bathurst might remember all the stages of the progress. He was in 1704 of an age at least to be made to comprehend such things. He was then old enough *acta parentum jam legere, et quæ sit poterit cognoscere virtus*²—Suppose, Sir, that 15 the angel of this auspicious youth, foreseeing the many virtues, which made him one of the most amiable, as he is one of the most fortunate, men of his age, had opened to him in vision, that when, in the fourth generation, the third prince of the House of Brunswick had sat twelve years on the 20 throne of that nation, which (by the happy issue of moderate and healing councils) was to be made Great Britain, he should see his son,³ Lord Chancellor of England, turn back the current of hereditary dignity to its fountain, and raise him to a higher rank of peerage, whilst he enriched the 25 family with a new one—If amidst these bright and happy scenes of domestic honour and prosperity, that angel should have drawn up the curtain, and unfolded the rising glories of his country, and whilst he was gazing with admiration on the then commercial grandeur of England, the genius should 30 point out to him a little speck, scarce visible in the mass of

the national interest, a small seminal principle, rather than a formed body, and should tell him — “Young man, there is America — which at this day serves for little more than to amuse you with stories of savage men, and uncouth manners ;
5 yet shall, before you taste of death, show itself equal to the whole of that commerce which now attracts the envy of the world. . Whatever England has been growing to by a progressive increase of improvement, brought in by varieties of people, by succession of civilizing conquests and civilizing
10 settlements in a series of seventeen hundred years, you shall see as much added to her by America in the course of a single life !” If this state of his country had been foretold to him, would it not require all the sanguine credulity of youth, and all the fervid glow of enthusiasm, to make him
15 believe it? Fortunate man, he has lived to see it ! Fortunate indeed, if he lives to see nothing that shall vary the prospect, and cloud the setting of his day !¹

Excuse me, Sir, if turning from such thoughts I resume this comparative view once more. You have seen it on a
20 large scale ; look at it on a small one. I will point out to your attention a particular instance of it in the single province of Pennsylvania. In the year 1704, that province called for £11,459 in value of your commodities, native and foreign. This was the whole. What did it demand in
25 1772? Why nearly fifty times as much ; for in that year the export to Pennsylvania was £507,909, nearly equal to the export to all the colonies together in the first period.

I choose, Sir, to enter into these minute and particular details ; because generalities, which in all other cases are
30 apt to heighten and raise the subject, have here a tendency to sink it. When we speak of the commerce with our colo-

nies, fiction lags after truth ; invention is unfruitful, and imagination cold and barren.

So far, Sir, as to the importance of the object in view of its commerce, as concerned in the exports from England. If I were to detail the imports, I could show how many 5 enjoyments they procure, which deceive the burthen of life ; how many materials which invigorate the springs of national industry, and extend and animate every part of our foreign and domestic commerce. This would be a curious subject indeed — but I must prescribe bounds to myself in a matter 10 so vast and various.

I pass therefore to the colonies in another point of view, their agriculture. This they have prosecuted with such a spirit, that, besides feeding plentifully their own growing multitude, their annual export of grain, comprehending rice, 15 has some years ago exceeded a million in value. Of their last harvest, I am persuaded they will export much more. At the beginning of the century some of these colonies imported corn from the mother country. For some time past, the Old World has been fed from the New. The 20 scarcity which you have felt would have been a desolating famine, if this child of your old age, with a true filial piety, with a Roman charity,¹ had not put the full breast of its youthful exuberance to the mouth of its exhausted parent.

As to the wealth which the colonies have drawn from the 25 sea by their fisheries, you had all that matter fully opened at your bar. You surely thought these acquisitions of value, for they seemed even to excite your envy ; and yet the spirit by which that enterprising employment has been exercised, ought rather, in my opinion, to have raised your esteem and 30 admiration. And pray, Sir, what in the world is equal to it ?

Pass by the other parts, and look at the manner in which the people of New England have of late carried on the whale fishery. Whilst we follow them among the tumbling mountains of ice, and behold them penetrating into the deepest frozen recesses of Hudson's Bay and Davis's Straits, whilst we are looking for them beneath the arctic circle, we hear that they have pierced into the opposite region of polar cold, that they are at the antipodes, and engaged under the frozen serpent of the south.¹ Falkland Island,² which seemed too remote and romantic an object for the grasp of national ambition, is but a stage and resting-place in the progress of their victorious industry. Nor is the equinoctial heat more discouraging to them, than the accumulated winter of both the poles. We know that whilst some of them draw the line and strike the harpoon on the coast of Africa, others run the longitude, and pursue their gigantic game along the coast of Brazil. No sea but what is vexed by their fisheries. No climate that is not witness to their toils. Neither the perseverance of Holland, nor the activity of France, nor the dexterous and firm sagacity of English enterprise, ever carried this most perilous mode of hard industry to the extent to which it has been pushed by this recent people ; a people who are still, as it were, but in the gristle, and not yet hardened into the bone of manhood. When I contemplate these things ; when I know that the colonies in general owe little or nothing to any care of ours, and that they are not squeezed into this happy form by the constraints of watchful and suspicious government, but that, through a wise and salutary neglect, a generous nature has been suffered to take her own way to perfection ; when I reflect upon these effects, when I see how profitable they have been to us, I feel all the pride

of power sink, and all presumption in the wisdom of human contrivances melt and die away within me. My rigour relents. I pardon something to the spirit of liberty.¹

I am sensible, Sir, that all which I have asserted in my detail, is admitted in the gross ; but that quite a different conclusion is drawn from it. America, gentlemen say, is a noble object. It is an object well worth fighting for. Certainly it is, if fighting a people be the best way of gaining them. Gentlemen in this respect will be led to their choice of means by their complexions and their habits. Those who understand the military art, will of course have some predilection for it. Those who wield the thunder of the state, may have more confidence in the efficacy of arms. But I confess, possibly for want of this knowledge, my opinion is much more in favour of prudent management, than of force ; considering force not as an odious, but a feeble instrument, for preserving a people so numerous, so active, so growing, so spirited as this, in a profitable and subordinate connexion with us.

First, Sir, permit me to observe, that the use of force alone is but *temporary*. It may subdue for a moment ; but it does not remove the necessity of subduing again : and a nation is not governed, which is perpetually to be conquered.

My next objection is its *uncertainty*. Terror is not always the effect of force ; and an armament is not a victory. If you do not succeed, you are without resource ; for, conciliation failing, force remains ; but, force failing, no further hope of reconciliation is left. Power and authority are sometimes bought by kindness ; but they can never be begged as alms by an impoverished and defeated violence.

A further objection to force is, that you *impair the object* by your very endeavours to preserve it. The thing you fought for is not the thing which you recover ; but depreciated, sunk, wasted, and consumed in the contest. Nothing
5 less will content me, than *whole America*. I do not choose to consume its strength along with our own ; because in all parts it is the British strength that I consume. I do not choose to be caught by a foreign enemy at the end of this exhausting conflict ; and still less in the midst of it. I may
10 escape ; but I can make no insurance against such an event. Let me add, that I do not choose wholly to break the American spirit ; because it is the spirit that has made the country.

Lastly, we have no sort of *experience* in favour of force
15 as an instrument in the rule of our colonies. Their growth and their utility has been owing to methods altogether different. Our ancient indulgence has been said to be pursued to a fault. It may be so. But we know if feeling is evidence, that our fault was more tolerable than our
20 attempt to mend it ; and our sin far more salutary than our penitence.

These, Sir, are my reasons for not entertaining that high opinion of untried force, by which many gentlemen, for whose sentiments in other particulars I have great respect,
25 seem to be so greatly captivated. But there is still behind a third consideration concerning this object, which serves to determine my opinion on the sort of policy which ought to be pursued in the management of America, even more than its population and its commerce, I mean its *temper and*
30 *character*.

In this character of the Americans, a love of freedom is

the predominating feature which marks and distinguishes the whole : and as an ardent is always a jealous affection, your colonies become suspicious, restive, and untractable, whenever they see the least attempt to wrest from them by force, or shuffle from them by chicane, what they think the only advantage worth living for. This fierce spirit of liberty is stronger in the English colonies probably than in any other people of the earth ; and this from a great variety of powerful causes ; which, to understand the true temper of their minds, and the direction which this spirit takes, it will not be amiss to lay open somewhat more largely.¹

First, the people of the colonies are descendants of Englishmen. England, Sir, is a nation, which still I hope respects, and formerly adored, her freedom. The colonists emigrated from you when this part of your character was most predominant ; and they took this bias and direction the moment they parted from your hands. They are therefore not only devoted to liberty, but to liberty according to English ideas, and on English principles. Abstract liberty, like other mere abstractions, is not to be found. Liberty inheres in some sensible object ; and every nation has formed to itself some favourite point, which by way of eminence becomes the criterion of their happiness. It happened, you know, Sir, that the great contests for freedom in this country were from the earliest times chiefly upon the question of taxing. Most of the contests in the ancient commonwealths turned primarily on the right of election of magistrates ; or on the balance among the several orders of the state. The question of money was not with them so immediate. But in England it was otherwise. On this point of taxes the ablest pens, and most eloquent tongues,

have been exercised ; the greatest spirits have acted and suffered. In order to give the fullest satisfaction concerning the importance of this point, it was not only necessary for those who in argument defended the excellence of the English constitution, to insist on this privilege of granting money as a dry point of fact, and to prove, that the right had been acknowledged in ancient parchments, and blind usages, to reside in a certain body called a House of Commons. They went much farther ; they attempted to prove, and they succeeded, that in theory it ought to be so, from the particular nature of a House of Commons, as an immediate representative of the people ; whether the old records had delivered this oracle or not. They took infinite pains to inculcate, as a fundamental principle, that in all monarchies the people must in effect themselves, mediately or immediately, possess the power of granting their own money, or no shadow of liberty could subsist. The colonies draw from you, as with their life-blood, these ideas and principles. Their love of liberty, as with you, fixed and attached on this specific point of taxing. Liberty might be safe, or might be endangered, in twenty other particulars, without their being much pleased or alarmed. Here they felt its pulse ; and as they found that beat, they thought themselves sick or sound. I do not say whether they were right or wrong in applying your general arguments to their own case. It is not easy indeed to make a monopoly of theorems and corollaries. The fact is, that they did thus apply those general arguments ; and your mode of governing them, whether through lenity or indolence, through wisdom or mistake, confirmed them in the imagination, that they, as well as you, had an interest in these common principles.

They were further confirmed in this pleasing error by the form of their provincial legislative assemblies. Their governments are popular in a high degree ; some are merely popular ; in all, the popular representative is the most weighty ; and this share of the people in their ordinary government never fails to inspire them with lofty sentiments, and with a strong aversion from whatever tends to deprive them of their chief importance. 5

If anything were wanting to this necessary operation of the form of government, religion would have given it a complete effect. Religion, always a principle of energy, in this new people is no way worn out or impaired ; and their mode of professing it is also one main cause of this free spirit. The people are Protestants ; and of that kind which is the most adverse to all implicit submission of mind and opinion. 15 This is a persuasion not only favourable to liberty, but built upon it. I do not think, Sir, that the reason of this averseness in the dissenting churches, from all that looks like absolute government, is so much to be sought in their religious tenets, as in their history. Every one knows that the Roman Catholic religion is at least coeval with most of the governments where it prevails ; that it has generally gone hand in hand with them, and received great favour and every kind of support from authority. The Church of England too was formed from her cradle under the nursing care 25 of regular government. But the dissenting interests have sprung up in direct opposition to all the ordinary powers of the world ; and could justify that opposition only on a strong claim to natural liberty. Their very existence depended on the powerful and unremitted assertion of that claim. All 30 Protestantism, even the most cold and passive, is a sort of

dissent. But the religion most prevalent in our northern colonies is a refinement on the principle of resistance; it is the dissidence of dissent, and the Protestantism of the Protestant religion.¹ This religion, under a variety of denominations agreeing in nothing but in the communion of the spirit of liberty, is predominant in most of the northern provinces; where the Church of England, notwithstanding its legal rights, is in reality no more than a sort of private sect, not composing most probably the tenth of the people. The colonists left England when this spirit was high, and in the emigrants was the highest of all; and even that stream of foreigners, which has been constantly flowing into these colonies, has, for the greatest part, been composed of dissenters from the establishments of their several countries, and have brought with them a temper and character far from alien to that of the people with whom they mixed.

Sir, I can perceive by their manner, that some gentlemen object to the latitude of this description; because in the southern colonies the Church of England forms a large body, and has a regular establishment. It is certainly true. There is, however, a circumstance attending these colonies, which, in my opinion, fully counterbalances this difference, and makes the spirit of liberty still more high and haughty than in those to the northward. It is, that in Virginia and the Carolinas they have a vast multitude of slaves. Where this is the case in any part of the world, those who are free, are by far the most proud and jealous of their freedom. Freedom is to them not only an enjoyment, but a kind of rank and privilege. Not seeing there, that freedom, as in countries where it is a common blessing, and as broad and general as the air, may be united with much abject toil, with

great misery, with all the exterior of servitude, liberty looks, amongst them, like something that is more noble and liberal. I do not mean, Sir, to commend the superior morality of this sentiment, which has at least as much pride as virtue in it ; but I cannot alter the nature of man. The fact is so ; and 5 these people of the southern colonies are much more strongly, and with a higher and more stubborn spirit, attached to liberty, than those to the northward. Such were all the ancient commonwealths ; such were our Gothic ancestors ; such in our days were the Poles ;¹ and such will be all masters of 10 slaves, who are not slaves themselves. In such a people, the haughtiness of domination combines with the spirit of freedom, fortifies it, and renders it invincible.

Permit me, Sir, to add another circumstance in our colonies, which contributes no mean part towards the growth 15 and effect of this untractable spirit. I mean their education. In no country perhaps in the world is the law so general a study.² The profession itself is numerous and powerful ; and in most provinces it takes the lead. The greater number of the deputies sent to the congress were lawyers. But all who 20 read, and most do read, endeavour to obtain some smattering in that science. I have been told by an eminent bookseller, that in no branch of his business, after tracts of popular devotion, were so many books as those on the law exported to the plantations. The colonists have now fallen 25 into the way of printing them for their own use. I hear that they have sold nearly as many of Blackstone's Commentaries in America as in England. General Gage marks out this disposition very particularly in a letter on your table. He states, that all the people in his government are 30 lawyers, or smatterers in law ; and that in Boston they have

been enabled, by successful chicane, wholly to evade many parts of one of your capital penal constitutions.¹ The smartness of debate will say, that this knowledge ought to teach them more clearly the rights of legislature, their obligations
5 to obedience, and the penalties of rebellion. All this is mighty well. But my honourable and learned friend² on the floor, who condescends to mark what I say for animadversion, will disdain that ground. He has heard, as well as I, that when great honours and great emoluments do not win over
10 this knowledge to the service of the state, it is a formidable adversary to government. If the spirit be not tamed and broken by these happy methods, it is stubborn and litigious. *Abeunt studia in mores.*³ This study renders men acute, inquisitive, dexterous, prompt in attack, ready in defence, full
15 of resources. In other countries, the people, more simple, and of a less mercurial cast, judge of an ill principle in government only by an actual grievance ; here they anticipate the evil, and judge of the pressure of the grievance by the badness of the principle. They augur misgovernment at a
20 distance ; and snuff the approach of tyranny in every tainted breeze.

The last cause of this disobedient spirit in the colonies is hardly less powerful than the rest, as it is not merely moral, but laid deep in the natural constitution of things. Three
25 thousand miles of ocean lie between you and them. No contrivance can prevent the effect of this distance in weakening government. Seas roll, and months pass, between the order and the execution ; and the want of a speedy explanation of a single point is enough to defeat a whole system. You
30 have, indeed, winged ministers of vengeance,⁴ who carry your bolts in their pounces to the remotest verge of the sea. But

there a power steps in, that limits the arrogance of raging passions and furious elements, and says, "So far shalt thou go, and no farther." Who are you, that should fret and rage, and bite the chains of nature?—Nothing worse happens to you than does to all nations who have extensive empire ; 5 and it happens in all the forms into which empire can be thrown. In large bodies, the circulation of power must be less vigorous at the extremities. Nature has said it. The Turk cannot govern Egypt, and Arabia, and Curdistan, as he governs Thrace ; nor has he the same dominion in Crimea 10 and Algiers, which he has at Brusa and Smyrna. Despotism itself is obliged to truck and huckster. The Sultan gets such obedience as he can. He governs with a loose rein, that he may govern at all ; and the whole of the force and vigour of his authority in his centre is derived from a prudent relaxa- 15 tion in all his borders. Spain, in her provinces, is, perhaps, not so well obeyed as you are in yours. She complies too ; she submits ; she watches times. This is the immutable condition, the eternal law, of extensive and detached empire.¹

Then, Sir, from these six capital sources ; of descent ; of 20 form of government ; of religion in the northern provinces ; of manners in the southern ; of education ; of the remoteness of situation from the first mover of government ; from all these causes a fierce spirit of liberty has grown up. It has grown with the growth of the people in your colonies, 25 and increased with the increase of their wealth ; a spirit, that unhappily meeting with an exercise of power in England, which, however lawful, is not reconcilable to any ideas of liberty, much less with theirs, has kindled this flame that is ready to consume us.

30

I do not mean to commend either the spirit in this excess,

or the moral causes which produce it. Perhaps a more smooth and accommodating spirit of freedom in them would be more acceptable to us. Perhaps ideas of liberty might be desired, more reconcilable with an arbitrary and boundless
5 authority. Perhaps we might wish the colonists to be persuaded, that their liberty is more secure when held in trust for them by us (as their guardians during a perpetual minority) than with any part of it in their own hands. The question is, not whether their spirit deserves praise or blame,
10 but — what, in the name of God, shall we do with it? You have before you the object, such as it is, with all its glories, with all its imperfections on its head.¹ You see the magnitude; the importance; the temper; the habits; the disorders. By all these considerations we are strongly urged
15 to determine something concerning it. We are called upon to fix some rule and line for our future conduct, which may give a little stability to our politics, and prevent the return of such unhappy deliberations as the present. Every such return will bring the matter before us in a still more untractable form. For, what astonishing and incredible things
20 have we not seen already! What monsters have not been generated from this unnatural contention! Whilst every principal of authority and resistance has been pushed, upon both sides, as far as it would go, there is nothing so solid
25 and certain, either in reasoning or in practice, that has not been shaken. Until very lately, all authority in America seemed to be nothing but an emanation from yours. Even the popular part of the colony constitution derived all its activity, and its first vital movement, from the pleasure of
30 the crown. We thought, Sir, that the utmost which the discontented colonists could do, was to disturb authority; we

never dreamt they could of themselves supply it ; knowing in general what an operose business it is to establish a government absolutely new. But having, for our purposes in this contention, resolved, that none but an obedient assembly should sit ; the humours of the people there, finding all passage through the legal channel stopped, with great violence broke out another way. Some provinces have tried their experiment, as we have tried ours ; and theirs has succeeded. They have formed a government sufficient for its purposes, without the bustle of a revolution, or the troublesome formality of an election. Evident necessity, and tacit consent, have done the business in an instant. So well they have done it, that Lord Dunmore (the account is among the fragments on your table) tells you, that the new institution is infinitely better obeyed than the ancient government ever was in its most fortunate periods. Obedience is what makes government, and not the names by which it is called ; not the name of governor, as formerly, or committee, as at present. This new government has originated directly from the people ; and was not transmitted through any of the ordinary artificial media of a positive constitution. It was not a manufacture ready formed, and transmitted to them in that condition from England. The evil arising from hence is this ; that the colonists having once found the possibility of enjoying the advantages of order in the midst of a struggle for liberty, such struggles will not henceforward seem so terrible to the settled and sober part of mankind as they had appeared before the trial.

Pursuing the same plan of punishing by the denial of the exercise of government to still greater lengths, we wholly abrogated the ancient government of Massachusetts. We

were confident that the first feeling, if not the very prospect of anarchy, would instantly enforce a complete submission. The experiment was tried. A new, strange, unexpected face of things appeared. Anarchy is found tolerable. A
5 vast province has now subsisted, and subsisted in a considerable degree of health and vigour, for near a twelvemonth, without governor, without public council, without judges, without executive magistrates. How long it will continue
10 in this state, or what may arise out of this unheard-of situation, how can the wisest of us conjecture? Our late experience has taught us that many of these fundamental principles, formerly believed infallible, are either not of the importance they were imagined to be ; or that we have not
15 at all adverted to some other far more important and far more powerful principles, which entirely overrule those we had considered as omnipotent. I am much against any further experiments, which tend to put to the proof any more of these allowed opinions, which contribute so much to the public tranquillity. In effect, we suffer as much at home
20 by this loosening of all ties, and this concussion of all established opinions, as we do abroad. For, in order to prove that the Americans have no right to their liberties, we are every day endeavouring to subvert the maxims which preserve the whole spirit of our own. To prove that the Americans
25 ought not to be free, we are obliged to depreciate the value of freedom itself ; and we never seem to gain a paltry advantage over them in debate, without attacking some of those principles, or deriding some of those feelings, for which our ancestors have shed their blood.

30 But, Sir, in wishing to put an end to pernicious experiments, I do not mean to preclude the fullest inquiry. Far

from it. Far from deciding on a sudden or partial view, I would patiently go round and round the subject, and survey it minutely in every possible aspect. Sir, if I were capable of engaging you to an equal attention, I would state, that, as far as I am capable of discerning, there are but three ways of proceeding relative to this stubborn spirit, which prevails in your colonies, and disturbs your government. These are — To change that spirit, as inconvenient, by removing the causes. To prosecute it as criminal. Or, to comply with it as necessary. I would not be guilty of an imperfect enumeration ; I can think of but these three. Another has indeed been started, that of giving up the colonies ; but it met so slight a reception, that I do not think myself obliged to dwell a great while upon it. It is nothing but a little sally of anger, like the frowardness of peevish children, who, when they cannot get all they would have, are resolved to take nothing.

The first of these plans, to change the spirit as inconvenient, by removing the causes, I think is the most like a systematic proceeding. It is radical in its principle ; but it is attended with great difficulties, some of them little short, as I conceive, of impossibilities. This will appear by examining into the plans which have been proposed.

As the growing population in the colonies is evidently one cause of their resistance, it was last session mentioned in both Houses, by men of weight, and received not without applause, that in order to check this evil, it would be proper for the crown to make no further grants of land. But to this scheme there are two objections. The first, that there is already so much unsettled land in private hands, as to afford room for an immense future population, although the crown not only

withheld its grants, but annihilated its soil. If this be the case, then the only effect of this avarice of desolation, this hoarding of a royal wilderness, would be to raise the value of the possessions in the hands of the great private monopolists, without any adequate check to the growing and alarming mischief of population.

But if you stopped your grants, what would be the consequence? The people would occupy without grants. They have already so occupied in many places. You cannot
10 station garrisons in every part of these deserts. If you drive the people from one place, they will carry on their annual tillage, and remove with their flocks and herds to another. Many of the people in the back settlements are already little attached to particular situations. Already they
15 have topped the Appalachian mountains. From thence they behold before them an immense plain, one vast, rich, level meadow ; a square of five hundred miles. Over this they would wander without a possibility of restraint ; they would change their manners with the habits of their life ; would
20 soon forget a government by which they were disowned ; would become hordes of English Tartars ; and pouring down upon your unfortified frontiers a fierce and irresistible cavalry, become masters of your governors and your counsellors, your collectors and comptrollers, and of all the slaves
25 that adhered to them. Such would, and, in no long time, must be, the effect of attempting to forbid as a crime, and to suppress as an evil, the command and blessing of Providence, "Increase and multiply." Such would be the happy result of an endeavour to keep as a lair of wild beasts, that earth,
30 which God, by an express charter, has given to the children of men. Far different, and surely much wiser, has been our

policy hitherto. Hitherto we have invited our people, by every kind of bounty, to fixed establishments. We have invited the husbandman to look to authority for his title. We have taught him piously to believe in the mysterious virtue of wax and parchment. We have thrown each tract of land, 5 as it was peopled, into districts ; that the ruling power should never be wholly out of sight. We have settled all we could ; and we have carefully attended every settlement with government.

Adhering, Sir, as I do, to this policy, as well as for the 10 reasons I have just given, I think this new project of hedging-in population to be neither prudent nor practicable.

To impoverish the colonies in general, and in particular to arrest the noble course of their marine enterprises, would be a more easy task. I freely confess it. We have shown a 15 disposition to a system of this kind ; a disposition even to continue the restraint after the offence ; looking on ourselves as rivals to our colonies, and persuaded that of course we must gain all that they shall lose. Much mischief we may certainly do. The power inadequate to all other things is 20 often more than sufficient for this. I do not look on the direct and immediate power of the colonies to resist our violence as very formidable. In this, however, I may be mistaken. But when I consider, that we have colonies for no purpose but to be serviceable to us, it seems to my poor 25 understanding a little preposterous, to make them unserviceable, in order to keep them obedient. It is, in truth, nothing more than the old, and, as I thought, exploded problem of tyranny, which proposes to beggar its subjects into submission. But remember, when you have completed your 30 system of impoverishment, that nature still proceeds in her

ordinary course ; that discontent will increase with misery ; and that there are critical moments in the fortune of all states, when they who are too weak to contribute to your prosperity, may be strong enough to complete your ruin.

5 *Spoliatis arma supersunt.*¹

The temper and character which prevail in our colonies are, I am afraid, unalterable by any human art. We cannot, I fear, falsify the pedigree of this fierce people, and persuade
10 them that they are not sprung from a nation in whose veins the blood of freedom circulates. The language in which they would hear you tell them this tale would detect the imposition ; your speech would betray you. An Englishman is the unfittest person on earth to argue another Englishman into slavery.

15 I think it is nearly as little in our power to change their republican religion, as their free descent ; or to substitute the Roman Catholic, as a penalty ; or the Church of England, as an improvement. The mode of inquisition and dragooning is going out of fashion in the Old World ; and I should
20 not confide much to their efficacy in the New. The education of the Americans is also on the same unalterable bottom with their religion. You cannot persuade them to burn their books of curious science ; to banish their lawyers from their courts of laws ; or to quench the lights of their
25 assemblies, by refusing to choose those persons who are best read in their privileges. It would be no less impracticable to think of wholly annihilating the popular assemblies, in which these lawyers sit. The army, by which we must govern in their place, would be far more chargeable to us ; not quite
30 so effectual ; and perhaps, in the end, full as difficult to be kept in obedience.²

With regard to the high aristocratic spirit of Virginia and the southern colonies, it has been proposed, I know, to reduce it, by declaring a general enfranchisement of their slaves. This project has had its advocates and panegyrists ; yet I never could argue myself into any opinion of it. Slaves 5 are often much attached to their masters. A general wild offer of liberty would not always be accepted. History furnishes few instances of it. It is sometimes as hard to persuade slaves to be free, as it is to compel freemen to be slaves ; and in this auspicious scheme, we should have both these 10 pleasing tasks on our hands at once. But when we talk of enfranchisement, do we not perceive that the American master may enfranchise too ; and arm servile hands in defence of freedom ? A measure to which other people have had recourse more than once, and not without success, in a 15 desperate situation of their affairs.

Slaves as these unfortunate black people are, and dull as all men are from slavery, must they not a little suspect the offer of freedom from that very nation which has sold them to their present masters ? from that nation, one of whose 20 causes of quarrel with those masters is their refusal to deal any more in that inhuman traffic ? An offer of freedom from England would come rather oddly, shipped to them in an African vessel, which is refused an entry into the ports of Virginia or Carolina, with a cargo of three Angola negroes. 25 It would be curious to see the Guinea captain attempting at the same instant to publish his proclamation of liberty, and to advertise his sale of slaves.

But let us suppose all these moral difficulties got over. The ocean remains. You cannot pump this dry ; and as 30 long as it continues in its present bed, so long all the causes

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which weaken authority by distance will continue. "Ye gods, annihilate but space and time, and make two lovers happy!"¹ — was a pious and passionate prayer; — but just as reasonable, as many of the serious wishes of very grave and solemn politicians.

If then, Sir, it seems almost desperate to think of any alterative course, for changing the moral causes (and not quite easy to remove the natural) which produce prejudices irreconcilable to the late exercise of our authority; but that the spirit infallibly will continue; and, continuing, will produce such effects as now embarrass us; the second mode under consideration is, to prosecute that spirit in its overt acts, as *criminal*.

At this proposition I must pause a moment. The thing seems a great deal too big for my ideas of jurisprudence. It should seem to my way of conceiving such matters, that there is a very wide difference in reason and policy, between the mode of proceeding on their regular conduct of scattered individuals, or even of bands of men, who disturb order within the state, and the civil dissensions which may, from time to time, on great questions, agitate the several communities which compose a great empire. It looks to me to be narrow and pedantic, to apply the ordinary ideas of criminal justice to this great public contest. I do not know the method of drawing up an indictment against a whole people. I cannot insult and ridicule the feelings of millions of my fellow-creatures, as Sir Edward Coke insulted one excellent individual (Sir Walter Raleigh) at the bar.² I hope I am not ripe to pass sentence on the gravest public bodies, intrusted with magistracies of great authority and dignity, and charged with the safety of their fellow-citizens, upon the

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very same title that I am. I really think, that for wise men this is not judicious ; for sober men, not decent ; for minds tinctured with humanity, not mild and merciful.

Perhaps, Sir, I am mistaken in my idea of an empire, as distinguished from a single state or kingdom. But my idea 5 of it is this ; that an empire is the aggregate of many states under one common head ; whether this head be a monarch, or a presiding republic. It does, in such constitutions, frequently happen (and nothing but the dismal, cold, dead 10 uniformity of servitude can prevent its happening) that the subordinate parts may have many local privileges and immunities. Between these privileges and the supreme common authority the line may be extremely nice. Of course disputes, often, too, very bitter disputes, and much ill blood, will arise. But though every privilege is an exemption (in the case) from 15 the ordinary exercise of the supreme authority, it is no denial of it. The claim of a privilege seems rather, *ex vi termini*,¹ to imply a superior power. For to talk of the privileges of a state, or of a person, who has no superior, is hardly any better than speaking nonsense. Now, in such unfortunate 20 quarrels among the component parts of a great political union of communities, I can scarcely conceive anything more completely imprudent, than for the head of the empire to insist, that, if any privilege is pleaded against his will, or his acts, his whole authority is denied ; instantly to proclaim 25 rebellion, to beat to arms, and to put the offending provinces under the ban. Will not this, Sir, very soon teach the provinces to make no distinctions on their part? Will it not teach them that the government, against which a claim of liberty is tantamount to high treason, is a government to 30 which submission is equivalent to slavery? It may not

always be quite convenient to impress dependent communities with such an idea.

We are indeed, in all disputes with the colonies, by the necessity of things, the judge. It is true, Sir. But I confess, that the character of judge in my own cause is a thing
5 that frightens me. Instead of filling me with pride, I am exceedingly humbled by it. I cannot proceed with a stern, assured, judicial confidence, until I find myself in something more like a judicial character. I must have these hesita-
10 tions as long as I am compelled to recollect, that, in my little reading upon such contests as these, the sense of mankind has, at least, as often decided against the superior as the subordinate power. Sir, let me add too, that the opinion of my having some abstract right in my favour, would not
15 put me much at my ease in passing sentence; unless I could be sure, that there were no rights which, in their exercise under certain circumstances, were not the most odious of all wrongs, and the most vexatious of all injustice. Sir, these considerations have great weight with me, when I find things
20 so circumstanced, that I see the same party, at once a civil litigant against me in point of right, and a culprit before me; while I sit as a criminal judge, on acts of his, whose moral quality is to be decided upon the merits of that very litigation. Men are every now and then put, by the complexity
25 of human affairs, into strange situations; but justice is the same, let the judge be in what situation he will.

There is, Sir, also a circumstance which convinces me, that this mode of criminal proceeding is not (at least in the present stage of our contest) altogether expedient; which is
30 nothing less than the conduct of those very persons who have seemed to adopt that mode, by lately declaring a

rebellion in Massachusetts Bay, as they had formerly addressed to have traitors brought hither, under an act of Henry the Eighth, for trial. For though rebellion is declared, it is not proceeded against as such ; nor have any steps been taken towards the apprehension or conviction of any individual offender, either on our late or our former address ; but modes of public coercion have been adopted, and such as have much more resemblance to a sort of qualified hostility towards an independent power than the punishment of rebellious subjects. All this seems rather inconsistent ; but it shows how difficult it is to apply these juridical ideas to our present case.

In this situation, let us seriously and coolly ponder. What is it we have got by all our menaces, which have been many and ferocious ? What advantage have we derived from the penal laws we have passed, and which, for the time, have been severe and numerous ? What advances have we made towards our object, by the sending of a force, which, by land and sea, is no contemptible strength ? Has the disorder abated ? Nothing less. — When I see things in this situation, after such confident hopes, bold promises, and active exertions, I cannot, for my life, avoid a suspicion, that the plan itself is not correctly right.

If then the removal of the causes of this spirit of American liberty be, for the greater part, or rather entirely, impracticable ; if the ideas of criminal process be inapplicable, or if applicable, are in the highest degree inexpedient ; what way yet remains ? No way is open, but the third and last — to comply with the American spirit as necessary ; or, if you please, to submit to it as a necessary evil.

If we adopt this mode ; if we mean to conciliate and con-

cede ; let us see of what nature the concession ought to be ; to ascertain the nature of our concession, we must look at their complaint. The colonies complain, that they have not the characteristic mark and seal of British freedom.
5 They complain, that they are taxed in a parliament in which they are not represented. If you mean to satisfy them at all, you must satisfy them with regard to this complaint. If you mean to please any people, you must give them the boon which they ask ; not what you may think better for
10 them, but of a kind totally different. Such an act may be a wise regulation, but it is no concession : whereas our present theme is the mode of giving satisfaction.

Sir, I think you must perceive, that I am resolved this day to have nothing at all to do with the question of the right of
15 taxation.¹ Some gentlemen startle — but it is true ; I put it totally out of the question. It is less than nothing in my consideration. I do not indeed wonder, nor will you, Sir, that gentlemen of profound learning are fond of displaying it on this profound subject. But my consideration is nar-
20 row, confined, and wholly limited to the policy of the question. I do not examine, whether the giving away a man's money be a power excepted and reserved out of the general trust of government ; and how far all mankind, in all forms of polity, are entitled to an exercise of that right by the
25 charter of nature. Or whether, on the contrary, a right of taxation is necessarily involved in the general principle of legislation, and inseparable from the ordinary supreme power. These are deep questions, where great names militate against each other ; where reason is perplexed ; and an
30 appeal to authorities only thickens the confusion. For high and reverend authorities lift up their heads on both sides ;

and there is no sure footing in the middle. This point is the *great Serbonian bog, betwixt Damietta and Mount Casius old, where armies whole have sunk.*¹ I do not intend to be overwhelmed in that bog, though in such respectable company. The question with me is, not 5 whether you have a right to render your people miserable; but whether it is not your interest to make them happy. It is not, what a lawyer tells me I *may* do; but what humanity, reason, and justice tell me I ought to do. Is a politic act the worse for being a generous one? Is no concession 10 proper, but that which is made from your want of right to keep what you grant? Or does it lessen the grace or dignity of relaxing in the exercise of an odious claim, because you have your evidence-room full of titles, and your magazines stuffed with arms to enforce them? What signify all 15 those titles, and all those arms? Of what avail are they, when the reason of the thing tells me, that the assertion of my title is the loss of my suit; and that I could do nothing but wound myself by the use of my own weapons?²

Such is stedfastly my opinion of the absolute necessity of 20 keeping up the concord of this empire by a unity of spirit, though in a diversity of operations, that, if I were sure the colonists had, at their leaving this country, sealed a regular compact of servitude; that they had solemnly abjured all the rights of citizens; that they had made a vow to renounce 25 all ideas of liberty for them and their posterity to all generations; yet I should hold myself obliged to conform to the temper I found universally prevalent in my own day, and to govern two millions of men, impatient of servitude, on the principles of freedom. I am not determining a point of 30 law; I am restoring tranquillity; and the general character

and situation of a people must determine what sort of government is fitted for them. That point nothing else can or ought to determine.

My idea, therefore, without considering whether we yield
5 as matter of right, or grant as matter of favour, is *to admit the people of our colonies into an interest in the constitution*; and, by recording that admission in the journals of parliament, to give them as strong an assurance as the nature of the thing will admit, that we mean forever to adhere to that
10 solemn declaration of systematic indulgence.

Some years ago, the repeal of a revenue act, upon its understood principle, might have served to show, that we intended an unconditional abatement of the exercise of a taxing power. Such a measure was then sufficient to
15 remove all suspicion, and to give perfect content. But unfortunate events, since that time, may make something further necessary; and not more necessary for the satisfaction of the colonies, than for the dignity and consistency of our own future proceedings.

20 I have taken a very incorrect measure of the disposition of the House, if this proposal in itself would be received with dislike. I think, Sir, we have few American financiers. But our misfortune is, we are too acute; we are too exquisite in our conjectures of the future, for men oppressed with
25 such great and present evils. The more moderate among the opposers of parliamentary concession freely confess, that they hope no good from taxation; but they apprehend the colonists have further views; and if this point were conceded, they would instantly attack the trade laws.
30 These gentlemen are convinced, that this was the intention from the beginning; and the quarrel of the Americans with

taxation was no more than a cloak and cover to this design. Such has been the language even of a gentleman¹ of real moderation, and of a natural temper well adjusted to fair and equal government. I am, however, Sir, not a little surprised at this kind of discourse, whenever I hear it; and I am the more surprised, on account of the arguments which I constantly find in company with it, and which are often urged from the same mouths, and on the same day. 5

For instance, when we allege, that it is against reason to tax a people under so many restraints in trade as the Americans, the noble lord¹ in the blue riband shall tell you, that the restraints on trade are futile and useless; of no advantage to us, and of no burthen to those on whom they are imposed; that the trade to America is not secured by the acts of navigation, but by the natural and irresistible advantage of a commercial preference. 15

Such is the merit of the trade laws in this posture of the debate. But when strong internal circumstances are urged against the taxes; when the scheme is dissected; when experience and the nature of things are brought to prove, and do prove, the utter impossibility of obtaining an effective revenue from the colonies; when these things are pressed, or rather press themselves, so as to drive the advocates of colony taxes to a clear admission of the futility of the scheme; then, Sir, the sleeping trade laws revive from their trance; and this useless taxation is to be kept sacred, not for its own sake, but as a counter-guard and security of the laws of trade. 25

Then, Sir, you keep up revenue laws which are mischievous, in order to preserve trade laws that are useless. Such is the wisdom of our plan in both its members. They are sepa- 30

ately given up as of no value ; and yet one is always to be defended for the sake of the other. But I cannot agree with the noble lord, nor with the pamphlet from whence he seems to have borrowed these ideas,¹ concerning the inutility of the trade laws. For, without idolizing them, I am
5 sure they are still, in many ways, of great use to us : and in former times they have been of the greatest. They do confine, and they do greatly narrow, the market for the Americans. But my perfect conviction of this does not help me
10 in the least to discern how the revenue laws form any security whatsoever to the commercial regulations ; or that these commercial regulations are the true ground of the quarrel ; or that the giving way, in any one instance of authority, is to lose all that may remain unconceded.

15 One fact is clear and indisputable. The public and avowed origin of this quarrel was on taxation. This quarrel has indeed brought on new disputes on new questions ; but certainly the least bitter, and the fewest of all, on the trade laws. To judge which of the two be the real, radical cause
20 of quarrel, we have to see whether the commercial dispute did, in order of time, precede the dispute on taxation ? There is not a shadow of evidence for it. Next, to enable us to judge whether at this moment a dislike to the trade laws be the real cause of quarrel, it is absolutely necessary
25 to put the taxes out of the question by a repeal. See how the Americans act in this position, and then you will be able to discern correctly what is the true object of the controversy, or whether any controversy at all will remain. Unless you consent to remove this cause of difference, it is impos-
30 sible, with decency, to assert that the dispute is not upon what it is avowed to be. And I would, Sir, recommend to

your serious consideration, whether it be prudent to form a rule for punishing people, not on their own acts, but on your conjectures? Surely it is preposterous at the very best. It is not justifying your anger, by their misconduct; but it is converting your ill-will into their delinquency.

But the colonies will go further. — Alas ! alas ! when will this speculating against fact and reason end?—What will quiet these panic fears which we entertain of the hostile effect of a conciliatory conduct? Is it true, that no case can exist, in which it is proper for the sovereign to accede to the desires of his discontented subjects? Is there anything peculiar in this case, to make a rule for itself? Is all authority of course lost, when it is not pushed to the extreme? Is it a certain maxim, that the fewer causes of dissatisfaction are left by government, the more the subject will be inclined to resist and rebel?

All these objections being in fact no more than suspicions, conjectures, divinations, formed in defiance of fact and experience; they did not, Sir, discourage me from entertaining the idea of a conciliatory concession, founded on the principles which I have just stated.

In forming a plan for this purpose, I endeavoured to put myself in that frame of mind which was the most natural, and the most reasonable; and which was certainly the most probable means of securing me from all error. I set out with a perfect distrust of my own abilities; a total renunciation of every speculation of my own; and with a profound reverence for the wisdom of our ancestors, who have left us the inheritance of so happy a constitution, and so flourishing an empire, and what is a thousand times more valuable, the treasury of the maxims and principles which formed the one, and obtained the other.

During the reigns of the kings of Spain of the Austrian family, whenever they were at a loss in the Spanish councils, it was common for their statesmen to say, that they ought to consult the genius of Philip the Second. The genius of Philip the Second might mislead them; and the issue of their affairs showed, that they had not chosen the most perfect standard. But, Sir, I am sure that I shall not be misled, when, in a case of constitutional difficulty, I consult the genius of the English constitution. Consulting at that oracle (it was with all due humility and piety) I found four capital examples in a similar case before me; those of Ireland, Wales, Chester, and Durham.

Ireland, before the English conquest, though never governed by a despotic power, had no parliament. How far the English parliament itself was at that time modelled according to the present form, is disputed among antiquarians.¹ But we have all the reason in the world to be assured that a form of parliament, such as England then enjoyed, she instantly communicated to Ireland; and we are equally sure that almost every successive improvement in constitutional liberty, as fast as it was made here, was transmitted thither. The feudal baronage, and the feudal knighthood, the roots of our primitive constitution, were early transplanted into that soil; and grew and flourished there. Magna Charta, if it did not give us originally the House of Commons, gave us at least a House of Commons of weight and consequence. But your ancestors did not churlishly sit down alone to the feast of Magna Charta. Ireland was made immediately a partaker. This benefit of English laws and liberties, I confess, was not at first extended to *all* Ireland. Mark the consequence. English authority and English liberties had

exactly the same boundaries. Your standard could never be advanced an inch before your privileges.¹ Sir John Davis shows beyond a doubt, that the refusal of a general communication of these rights was the true cause why Ireland was five hundred years in subduing; and after the 5
vain projects of a military government, attempted in the reign of Queen Elizabeth, it was soon discovered, that nothing could make that country English, in civility and allegiance, but your laws and your forms of legislature. It was not English arms, but the English constitution, that 10
conquered Ireland. From that time, Ireland has ever had a general parliament, as she had before a partial parliament. You changed the people; you altered the religion; but you never touched the form or the vital substance of free government in that kingdom. You deposed kings; you re- 15
stored them; you altered the succession to theirs, as well as to your own crown; but you never altered their constitution; the principle of which was respected by usurpation; restored with the restoration of monarchy, and established, I trust, for ever, by the glorious Revolution. This has 20
made Ireland the great and flourishing kingdom that it is; and from a disgrace and a burthen intolerable to this nation, has rendered her a principal part of our strength and ornament. This country cannot be said to have ever formally taxed her. The irregular things done in the confusion of 25
mighty troubles, and on the hinge of great revolutions, even if all were done that is said to have been done, form no example. If they have any effect in argument, they make an exception to prove the rule. None of your own liberties could stand a moment if the casual deviations from them, 30
at such times, were suffered to be used as proofs of their

nullity. By the lucrative amount of such casual breaches in the constitution, judge what the stated and fixed rule of supply has been in that kingdom. Your Irish pensioners would starve if they had no other fund to live on than taxes
5 granted by English authority. Turn your eyes to those popular grants from whence all your great supplies are come ; and learn to respect that only source of public wealth in the British empire.

My next example is Wales.¹ This country was said to be
10 reduced by Henry the Third. It was said more truly to be so by Edward the First. But though then conquered, it was not looked upon as any part of the realm of England. Its old constitution, whatever that might have been, was destroyed ; and no good one was substituted in its place.
15 The care of that tract was put into the hands of lords marchers—a form of government of a very singular kind ; a strange heterogeneous monster, something between hostility and government ; perhaps it has a sort of resemblance, according to the modes of those times, to that of commander-in-chief at present, to whom all civil power is granted
20 as secondary. The manners of the Welsh nation followed the genius of the government ; the people were ferocious, restive, savage, and uncultivated ; sometimes composed, never pacified. Wales, within itself, was in perpetual disorder ; and it kept the frontier of England in perpetual
25 alarm. Benefits from it to the state there were none. Wales was only known to England by incursion and invasion.

Sir, during that state of things, parliament was not idle.
30 They attempted to subdue the fierce spirit of the Welsh by all sorts of rigorous laws. They prohibited by statute the

sending all sorts of arms into Wales, as you prohibit by proclamation (with something more of doubt in the legality) the sending arms to America. They disarmed the Welsh by statute, as you attempted (but still with more question on the legality) to disarm New England by an instruction. 5 They made an act to drag offenders from Wales into England for trial, as you have done (but with more hardship) with regard to America. By another act, where one of the parties was an Englishman, they ordained, that his trial should be always by English. They made acts to restrain trade, as 10 you do ; and they prevented the Welsh from the use of fairs and markets, as you do the Americans from fisheries and foreign ports. In short, when the statute book was not quite so much swelled as it is now, you find no less than fifteen acts of penal regulation on the subject of Wales. 15

Here we rub our hands — A fine body of precedents for the authority of parliament and the use of it ! — I admit it fully ; and pray add likewise to these precedents, that all the while, Wales rid this kingdom like an *incubus* ; that it was an unprofitable and oppressive burthen ; and that an English- 20 man travelling in that country could not go six yards from the high road without being murdered.

The march of the human mind is slow. Sir, it was not, until after two hundred years, discovered, that, by an eternal law, Providence had decreed vexation to violence, and poverty to rapine. Your ancestors did however at length open 25 their eyes to the ill husbandry of injustice. They found that the tyranny of a free people could of all tyrannies the least be endured ; and that laws made against a whole nation were not the most effectual methods for securing its obedience. 30 Accordingly, in the twenty-seventh year of Henry

VIII. the course was entirely altered. With a preamble stating the entire and perfect rights of the crown of England, it gave to the Welsh all the rights and privileges of English subjects. A political order was established; the military
 5 power gave way to the civil; the marches were turned into counties. But that a nation should have a right to English liberties, and yet no share at all in the fundamental security of these liberties—the grant of their own property—seemed a thing so incongruous, that, eight years after, that is, in the
 10 thirty-fifth of that reign, a complete and not ill-proportioned representation by counties and boroughs was bestowed upon Wales, by act of parliament.¹ From that moment, as by a charm, the tumults subsided, obedience was restored, peace, order, and civilization followed in the train of liberty.—When
 15 the day-star of the English constitution had arisen in their hearts, all was harmony within and without—

—*Simul alba nautis*
Stella refulsit,
Defluit saxis agitatus humor;
 20 *Concidunt venti, fugiuntque nubes,*
Et minax (quòd sic voluere) ponto
Unda recumbit².

The very same year the county palatine of Chester received the same relief from its oppressions, and the same
 25 remedy to its disorders. Before this time Chester was little less distempered than Wales. The inhabitants, without rights themselves, were the fittest to destroy the rights of others; and from thence Richard II. drew the standing army of archers, with which for a time he oppressed England. The
 30 people of Chester applied to parliament in a petition penned as I shall read to you :

“To the king our sovereign lord, in most humble wise shown unto your excellent Majesty, the inhabitants of your Grace’s county palatine of Chester; That where the said county palatine of Chester is and hath been always hitherto exempt, excluded and separated out and from your high court of parliament, to have any knights and burgesses within the said court; by reason whereof the said inhabitants have hitherto sustained manifold disherisons, losses, and damages, as well in their lands, goods, and bodies, as in the good, civil, and politic governance and maintenance of the commonwealth of their said country: (2) And forasmuch as the said inhabitants have always hitherto been bound by the acts and statutes made and ordained by your said Highness, and your most noble progenitors, by authority of the said court, as far forth as other counties, cities, and boroughs have been, that have had their knights and burgesses within your said court of parliament, and yet have had neither knight ne burgess there for the said county palatine; the said inhabitants, for lack thereof, have been oftentimes touched and grieved with acts and statutes made within the said court, as well derogatory unto the most ancient jurisdictions, liberties, and privileges of your said county palatine, as prejudicial unto the commonwealth, quietness, rest, and peace of your Grace’s most bounden subjects inhabiting within the same.”

25

What did parliament with this audacious address?—Reject it as a libel? Treat it as an affront to government? Spurn it as a derogation from the rights of legislature? Did they toss it over the table? Did they burn it by the hands of the common hangman? They took the petition of grievance, all rugged as it was, without softening or

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temperament, unpurged of the original bitterness and indignation of complaint; they made it the very preamble to their act of redress; and consecrated its principle to all ages in the sanctuary of legislation.

5 Here is my third example. It was attended with the success of the two former. Chester, civilized as well as Wales, has demonstrated that freedom, and not servitude, is the cure of anarchy; as religion, and not atheism, is the true remedy for superstition. Sir, this pattern of Chester
10 was followed in the reign of Charles II. with regard to the county palatine of Durham, which is my fourth example. This county had long lain out of the pale of free legislation. So scrupulously was the example of Chester followed, that the style of the preamble is nearly the same with that of the
15 Chester act; and, without affecting the abstract extent of the authority of parliament, it recognises the equity of not suffering any considerable district, in which the British subjects may act as a body, to be taxed without their own voice in the grant.¹

20 Now if the doctrines of policy contained in these preambles, and the force of these examples in the acts of parliament, avail anything, what can be said against applying them with regard to America? Are not the people of America as much Englishmen as the Welsh? The preamble of the act of Henry VIII. says, the Welsh speak a language no way resembling that of his Majesty's English
25 subjects. Are the Americans not as numerous? If we may trust the learned and accurate Judge Barrington's account of North Wales, and take that as a standard to measure the
30 rest, there is no comparison. The people cannot amount to above 200,000; not a tenth part of the number in the colo-

nies. Is America in rebellion? Wales was hardly ever free from it. Have you attempted to govern America by penal statutes? You made fifteen for Wales. But your legislative authority is perfect with regard to America ; was it less perfect in Wales, Chester, and Durham? But America is 5 virtually represented. What ! does the electric force of virtual representation more easily pass over the Atlantic, than pervade Wales, which lies in your neighbourhood ; or than Chester and Durham, surrounded by abundance of representation that is actual and palpable? But, Sir, your ancestors 10 thought this sort of virtual representation, however ample, to be totally insufficient for the freedom of the inhabitants of territories that are so near, and comparatively so inconsiderable. How then can I think it sufficient for those which are infinitely greater, and infinitely more 15 remote?

You will now, Sir, perhaps imagine, that I am on the point of proposing to you a scheme for a representation of the colonies in parliament. Perhaps I might be inclined to entertain some such thought ; but a great flood stops me in 20 my course. *Opposuit natura* — I cannot remove the eternal barriers of the creation. The thing, in that mode, I do not know to be possible. As I meddle with no theory, I do not absolutely assert the impracticability of such a representation. But I do not see my way to it ; and those who have 25 been more confident have not been more successful. However, the arm of public benevolence is not shortened ; and there are often several means to the same end. What nature has disjoined in one way, wisdom may unite in another. When we cannot give the benefit as we would wish, 30 let us not refuse it altogether. If we cannot give the prin-

cipal, let us find a substitute. But how? Where? What substitute?

Fortunately I am not obliged for the ways and means of this substitute to tax my own unproductive invention. I am
5 not even obliged to go to the rich treasury of the fertile framers of imaginary commonwealths; not to the Republic of Plato; not to the Utopia of More; not to the Oceana of Harrington. It is before me—it is at my feet, *and the rude swain treads daily on it with his clouted shoon*. I only wish
10 you to recognise, for the theory, the ancient constitutional policy of this kingdom with regard to representation, as that policy has been declared in acts of parliament; and, as to the practice, to return to that mode which an uniform experience has marked out to you, as best; and in which you walked
15 with security, advantage, and honour, until the year 1763.

My resolutions therefore mean to establish the equity and justice of a taxation of America, by *grant*, and not by *imposition*. To mark the *legal competency* of the colony assemblies for the support of their government in peace, and for
20 public aids in time of war. To acknowledge that this legal competency has had *a dutiful and beneficial exercise*; and that experience has shown the *benefit of their grants*, and the *futility of parliamentary taxation as a method of supply*.

These solid truths compose six fundamental propositions.
25 There are three more resolutions corollary to these. If you admit the first set, you can hardly reject the others. But if you admit the first, I shall be far from solicitous whether you accept or refuse the last. I think these six massive pillars will be of strength sufficient to support the temple of British
30 concord. I have no more doubt than I entertain of my existence, that, if you admitted these, you would command an

immediate peace ; and, with but tolerable future management, a lasting obedience in America. I am not arrogant in this confident assurance. The propositions are all mere matters of fact ; and if they are such facts as draw irresistible conclusions even in the stating, this is the power of truth, 5 and not any management of mine.

Sir, I shall open the whole plan to you, together with such observations on the motions as may tend to illustrate them where they may want explanation. The first is a resolution — “That the colonies and plantations of Great Britain 10 in North America, consisting of fourteen separate governments, and containing two millions and upwards of free inhabitants, have not had the liberty and privilege of electing and sending any knights and burgesses, or others, to represent them in the high court of parliament.” — This is a plain 15 matter of fact, necessary to be laid down, and (excepting the description) it is laid down in the language of the constitution ; it is taken nearly *verbatim* from acts of parliament.

The second is like unto the first — “That the said colonies and plantations have been liable to, and bounden by, several 20 subsidies, payments, rates, and taxes, given and granted by parliament, though the said colonies and plantations have not their knights and burgesses, in the said high court of parliament, of their own election, to represent the condition of their country ; by lack whereof they have been oftentimes 25 touched and grieved by subsidies given, granted, and assented to, in the said court, in a manner prejudicial to the commonwealth, quietness, rest, and peace of the subjects inhabiting within the same.”

Is this description too hot, or too cold, too strong, or too 30 weak ? Does it arrogate too much to the supreme legisla-

ture? Does it lean too much to the claims of the people? If it runs into any of these errors, the fault is not mine. It is the language of your own ancient acts of parliament.

5 *Non meus hic sermo, sed quæ præcepit Ofellus,
Rusticus, abnormis sapiens.*¹

It is the genuine produce of the ancient, rustic, manly, home-bred sense of this country. — I did not dare to rub off a particle of the venerable rust that rather adorns and preserves, than destroys, the metal. It would be a profanation to
10 touch with a tool the stones which construct the sacred altar of peace.² I would not violate with modern polish the ingenuous and noble roughness of these truly constitutional materials. Above all things, I was resolved not to be guilty of tampering : the odious vice of restless and unstable minds.
15 I put my foot in the tracks of our forefathers, where I can neither wander nor stumble. Determining to fix articles of peace, I was resolved not to be wise beyond what was written ;³ I was resolved to use nothing else than the form of sound words ;⁴ to let others abound in their own sense ; and
20 carefully to abstain from all expressions of my own. What the law has said, I say. In all things else I am silent. I have no organ but for her words. This, if it be not ingenious, I am sure is safe.

There are indeed words expressive of grievance in this
25 second resolution, which those who are resolved always to be in the right will deny to contain matter of fact, as applied to the present case ; although parliament thought them true, with regard to the counties of Chester and Durham. They will deny that the Americans were ever “ touched and
30 grieved ” with the taxes. If they consider nothing in taxes

but their weight as pecuniary impositions, there might be some pretence for this denial. But men may be sorely touched and deeply grieved in their privileges, as well as in their purses. Men may lose little in property by the act which takes away all their freedom. When a man is robbed 5 of a trifle on the highway, it is not the two-pence lost that constitutes the capital outrage. This is not confined to privileges. Even ancient indulgences withdrawn, without offence on the part of those who enjoyed such favours, operate as grievances. But were the Americans then not touched 10 and grieved by the taxes, in some measure, merely as taxes? If so, why were they almost all either wholly repealed or exceedingly reduced? Were they not touched and grieved even by the regulating duties of the sixth of George II.? Else why were the duties first reduced to one-third in 1764, 15 and afterwards to a third of that third in the year 1766? Were they not touched and grieved by the stamp act? I shall say they were, until that tax is revived. Were they not touched and grieved by the duties of 1767, which were likewise repealed, and which Lord Hillsborough tells you (for 20 the ministry) were laid contrary to the true principle of commerce? Is not the assurance given by that noble person to the colonies of a resolution to lay no more taxes on them, an admission that taxes would touch and grieve them? Is not the resolution of the noble lord in the blue riband, 25 now standing on your journals, the strongest of all proofs that parliamentary subsidies really touched and grieved them? Else why all these changes, modifications, repeals, assurances, and resolutions?

The next proposition is—“That, from the distance of 30 the said colonies, and from other circumstances, no method

hath hitherto been devised for procuring a representation in parliament for the said colonies." This is an assertion of a fact. I go no further on the paper ; though, in my private judgment, an useful representation is impossible ; I am sure
5 it is not desired by them ; nor ought it perhaps by us ; but I abstain from opinions.

The fourth resolution is — "That each of the said colonies hath within itself a body, chosen in part, or in the whole, by the freemen, freeholders, or other free inhabitants
10 thereof, commonly called the General Assembly, or General Court ; with powers legally to raise, levy, and assess, according to the several usage of such colonies, duties and taxes towards defraying all sorts of public services."

This competence in the colony assemblies is certain. It
15 is proved by the whole tenor of their acts of supply in all the assemblies, in which the constant style of granting is, "an aid to his Majesty" ; and acts granting to the crown have regularly for near a century passed the public offices without dispute. Those who have been pleased paradoxically to
20 deny this right, holding that none but the British parliament can grant to the crown, are wished to look to what is done, not only in the colonies, but in Ireland, in one uniform unbroken tenor every session. Sir, I am surprised that this doctrine should come from some of the law servants of the
25 crown. I say, that if the crown could be responsible, his Majesty — but certainly the ministers, and even these law officers themselves, through whose hands the acts pass biennially in Ireland, or annually in the colonies, are in an habitual course of committing impeachable offences. What
30 habitual offenders have been all presidents of the council, all secretaries of state, all first lords of trade, all attornies

and all solicitors general ! However, they are safe ; as no one impeaches them ; and there is no ground of charge against them, except in their own unfounded theories.

The fifth resolution is also a resolution of fact — “ That the said general assemblies, general courts, or other bodies 5 legally qualified as aforesaid, have at sundry times freely granted several large subsidies and public aids for his Majesty’s service, according to their abilities, when required thereto by letter from one of his Majesty’s principal secretaries of state ; and that their right to grant the same, and 10 their cheerfulness and sufficiency in the said grants, have been at sundry times acknowledged by parliament.” To say nothing of their great expenses in the Indian wars ; and not to take their exertion in foreign ones, so high as the supplies in the year 1695 ; not to go back to their public con- 15 tributions in the year 1710 ; I shall begin to travel only where the journals give me light ; resolving to deal in nothing but fact, authenticated by parliamentary record ; and to build myself wholly on that solid basis.

On the 4th of April, 1748, a committee of this House 20 came to the following resolution : ¹

“ *Resolved* — That it is the opinion of this committee, *That it is just and reasonable* that the several provinces and colonies of Massachusetts Bay, New Hampshire, Connecticut, and Rhode Island, be reimbursed the expenses 25 they have been at in taking and securing to the crown of Great Britain the island of Cape Breton and its dependencies.”

These expenses were immense for such colonies. They were above £200,000 sterling ; money first raised and 30 advanced on their public credit.

On the 28th of January, 1756, a message from the king came to us, to this effect¹—“ His Majesty, being sensible of the zeal and vigour with which his faithful subjects of certain colonies in North America have exerted themselves in defence
 5 of his Majesty’s just rights and possessions, recommends it to this House to take the same into their consideration, and to enable his Majesty to give them such assistance as may be a *proper reward and encouragement*.”

On the 3rd of February, 1756, the House came to a suitable resolution, expressed in words nearly the same as those
 10 of the message :² but with the further addition, that the money then voted was as an *encouragement* to the colonies to exert themselves with vigour. It will not be necessary to go through all the testimonies which your own records have
 15 given to the truth of my resolutions, I will only refer you to the places in the journals :

Vol. xxvii. — 16th and 19th May, 1757.

Vol. xxviii. — June 1st, 1758 — April 26th and 30th, 1759 — March
 20 26th and 31st, and April 28th, 1760 — Jan. 9th and 10th, 1761.

Vol. xxix. — Jan. 22nd and 26th, 1762 — March 14th and 17th, 1763.

Sir, here is the repeated acknowledgment of parliament, that the colonies not only gave, but gave to satiety. This nation has formerly acknowledged two things ; first, that the
 25 colonies had gone beyond their abilities, parliament having thought it necessary to reimburse them ; secondly, that they had acted legally and laudably in their grants of money, and their maintenance of troops, since the compensation is expressly given as reward and encouragement.³ Reward is
 30 not bestowed for acts that are unlawful ; and encouragement is not held out to things that deserve reprehension. My

resolution therefore does nothing more than collect into one proposition, what is scattered through your journals. I give you nothing but your own; and you cannot refuse in the gross, what you have so often acknowledged in detail. The admission of this, which will be so honourable to them and 5 to you, will, indeed, be mortal to all the miserable stories, by which the passions of the misguided people have been engaged in an unhappy system. The people heard, indeed, from the beginning of these disputes, one thing continually din- 10 ned in their ears, that reason and justice demanded, that the Americans, who paid no taxes, should be compelled to contribute. How did that fact, of their paying nothing, stand, when the taxing system began? When Mr. Grenville began to form his system of American revenue, he stated in this House, that the colonies were then in debt two million 15 six hundred thousand pounds sterling money; and was of opinion they would discharge that debt in four years. On this state, those untaxed people were actually subject to the payment of taxes to the amount of six hundred and fifty thousand a year. In fact, however, Mr. Grenville was mis- 20 taken. The funds given for sinking the debt did not prove quite so ample as both the colonies and he expected. The calculation was too sanguine; the reduction was not completed till some years after, and at different times in different colonies. However, the taxes after the war continued too 25 great to bear any addition, with prudence or propriety; and when the burthens imposed in consequence of former requisitions were discharged, our tone became too high to resort again to requisition. No colony, since that time, ever has had any requisition whatsoever made to it. 30

We see the sense of the crown, and the sense of parlia-

ment, on the productive nature of a *revenue by grant*. Now search the same journals for the produce of the *revenue by imposition*—Where is it?—let us know the volume and the page—what is the gross, what is the net produce?—to
 5 what service is it applied?—how have you appropriated its surplus?—What, can none of the many skilful index-makers that we are now employing, find any trace of it?—Well, let them and that rest together.—But are the journals, which say nothing of the revenue, as silent on the discontent?—
 10 Oh, no ! a child may find it. It is the melancholy burthen and blot of every page.

I think then I am, from those journals, justified in the sixth and last resolution, which is—“That it hath been found by experience, that the manner of granting the said
 15 supplies and aids, by the said general assemblies, hath been more agreeable to the said colonies, and more beneficial, and conducive to the public service, than the mode of giving and granting aids in parliament, to be raised and paid in the said colonies.” This makes the whole of the
 20 fundamental part of the plan. The conclusion is irresistible. You cannot say, that you were driven by any necessity to an exercise of the utmost rights of legislature. You cannot assert, that you took on yourselves the task of imposing colony taxes, from the want of another legal body, that is
 25 competent to the purpose of supplying the exigences of the state without wounding the prejudices of the people. Neither is it true that the body so qualified, and having that competence, had neglected the duty.

The question now, on all this accumulated matter, is ; —
 30 whether you will choose to abide by a profitable experience, or a mischievous theory ; whether you choose to build on

imagination, or fact ; whether you prefer enjoyment, or hope ; satisfaction in your subjects, or discontent ?

If these propositions are accepted, everything which has been made to enforce a contrary system, must, I take it for granted, fall along with it. On that ground, I have drawn 5 the following resolution, which, when it comes to be moved, will naturally be divided in a proper manner : “ That it may be proper to repeal an act, made in the seventh year of the reign of his present Majesty, intituled, An act for granting certain duties in the British colonies and plantations in 10 America ; for allowing a drawback of the duties of customs upon the exportation from this kingdom, of coffee and coconuts of the produce of the said colonies or plantations ; for discontinuing the drawbacks payable on China earthenware exported to America ; and for more effectually pre- 15 venting the clandestine running of goods in the said colonies and plantations. — And that it may be proper to repeal an act, made in the fourteenth year of the reign of his present Majesty, intituled, An act to discontinue, in such manner, and for such time, as are therein mentioned, the landing 20 and discharging, lading or shipping, of goods, wares, and merchandise, at the town and within the harbour of Boston, in the province of Massachusetts Bay, in North America. — And that it may be proper to repeal an act, made in the fourteenth year of the reign of his present Majesty, intituled, 25 An act for the impartial administration of justice, in the cases of persons questioned for any acts done by them, in the execution of the law, or for the suppression of riots and tumults, in the province of Massachusetts Bay, in New England. — And that it may be proper to repeal an act, 30 made in the fourteenth year of the reign of his present

Majesty, intituled, An act for the better regulating the government of the province of Massachusetts Bay, in New England. — And, also, that it may be proper to explain and amend an act, made in the thirty-fifth year of the reign of
5 King Henry the Eighth, intituled, An act for the trial of treasons committed out of the king's dominions."

I wish, Sir, to repeal the Boston Port Bill, because (independently of the dangerous precedent of suspending the rights of the subject during the king's pleasure) it was
10 passed, as I apprehend, with less regularity, and on more partial principles, than it ought. The corporation of Boston was not heard before it was condemned. Other towns, full as guilty as she was, have not had their ports blocked up. Even the restraining bill of the present session does not go
15 to the length of the Boston Port Act. The same ideas of prudence, which induced you not to extend equal punishment to equal guilt, even when you were punishing, induced me, who mean not to chastise, but to reconcile, to be satisfied with the punishment already partially inflicted.

20 Ideas of prudence and accommodation to circumstances, prevent you from taking away the charters of Connecticut and Rhode Island, as you have taken away that of Massachusetts colony, though the crown has far less power in the two former provinces than it enjoyed in the latter; and
25 though the abuses have been full as great, and as flagrant, in the exempted as in the punished. The same reasons of prudence and accommodation have weight with me in restoring the charter of Massachusetts Bay. Besides, Sir, the act which changes the charter of Massachusetts is in
30 many particulars so exceptionable, that if I did not wish absolutely to repeal, I would by all means desire to alter it;

as several of its provisions tend to the subversion of all public and private justice. Such, among others, is the power in the governor to change the sheriff at his pleasure ; and to make a new returning officer for every special cause. It is shameful to behold such a regulation standing among English laws. 5

The act for bringing persons accused of committing murder under the orders of government to England for trial is but temporary. That act has calculated the probable duration of our quarrel with the colonies ; and is accommodated 10 to that supposed duration. I would hasten the happy moment of reconciliation ; and therefore must, on my principle, get rid of that most justly obnoxious act.

The act of Henry the Eighth, for the trial of treasons, I do not mean to take away, but to confine it to its proper 15 bounds and original intention ; to make it expressly for trial of treasons (and the greatest treasons may be committed) in places where the jurisdiction of the crown does not extend.

Having guarded the privileges of local legislature, I would 20 next secure to the colonies a fair and unbiassed judicature ; for which purpose, Sir, I propose the following resolution : “That, from the time when the general assembly or general court of any colony or plantation in North America, shall have appointed by act of assembly, duly confirmed, a settled 25 salary to the offices of the chief justice and other judges of the superior court, it may be proper that the said chief justice and other judges of the superior courts of such colony, shall hold his and their office and offices during their good behaviour ; and shall not be removed therefrom, but when 30 the said removal shall be adjudged by his Majesty in coun-

cil, upon a hearing on complaint from the general assembly, or on a complaint from the governor, or council, or the house of representatives severally, or of the colony in which the said chief justice and other judges have exercised the
5 said offices."

The next resolution relates to the courts of admiralty.

It is this:—"That it may be proper to regulate the courts of admiralty, or vice-admiralty, authorized by the fifteenth chapter of the fourth of George the Third, in such
10 a manner as to make the same more commodious to those who sue, or are sued, in the said courts, and to provide for the more decent maintenance of the judges in the same."

These courts I do not wish to take away; they are in themselves proper establishments. This court is one of the
15 capital securities of the act of navigation. The extent of its jurisdiction, indeed, has been increased; but this is altogether as proper, and is indeed on many accounts more eligible, where new powers were wanted, than a court absolutely new. But courts incommodiously situated, in effect,
20 deny justice; and a court, partaking in the fruits of its own condemnation, is a robber. The congress complain, and complain justly, of this grievance.¹

These are the three consequential propositions. I have thought of two or three more; but they come rather too
25 near detail, and to the province of executive government; which I wish parliament always to superintend, never to assume. If the first six are granted, congruity will carry the latter three. If not, the things that remain unrepealed will be, I hope, rather unseemly encumbrances on the build-
30 ing, than very materially detrimental to its strength and stability.

Here, Sir, I should close ; but I plainly perceive some objections remain, which I ought, if possible, to remove. The first will be, that, in resorting to the doctrine of our ancestors, as contained in the preamble to the Chester act, I prove too much ; that the grievance from a want of representation, 5 stated in that preamble, goes to the whole of legislation as well as to taxation. And that the colonies, grounding themselves upon that doctrine, will apply it to all parts of legislative authority.

To this objection, with all possible deference and humility, 10 and wishing as little as any man living to impair the smallest particle of our supreme authority, I answer, that *the words are the words of parliament, and not mine* ; and, that all false and inconclusive inferences, drawn from them, are not mine ; for I heartily disclaim any such inference. I have 15 chosen the words of an act of parliament, which Mr. Grenville, surely a tolerably zealous and very judicious advocate for the sovereignty of parliament, formerly moved to have read at your table in confirmation of his tenets. It is true, that Lord Chatham considered these preambles as declaring 20 strongly in favour of his opinions. He was a no less powerful advocate for the privileges of the Americans. Ought I not from hence to presume, that these preambles are as favourable as possible to both, when properly understood ; favourable both to the rights of parliament, and to the priv- 25 ileges of the dependencies of this crown ? But, Sir, the object of grievance in my resolution I have not taken from the Chester, but from the Durham act, which confines the hardship of want of representation to the case of subsidies ; and which therefore falls in exactly with the case of the colonies. 30 But whether the unrepresented counties were *de jure* or *de*

facto, bound, the preambles do not accurately distinguish ; nor indeed was it necessary ; for, whether *de jure* or *de facto*, the legislature thought the exercise of the power of taxing, as of right, or as of fact without right, equally a grievance,
5 and equally oppressive.

I do not know that the colonies have, in any general way, or in any cool hour, gone much beyond the demand of immunity in relation to taxes. It is not fair to judge of the temper or dispositions of any man, or any set of men, when
10 they are composed and at rest, from their conduct, or their expressions, in a state of disturbance and irritation. It is besides a very great mistake to imagine, that mankind follow up practically any speculative principle, either of government or of freedom, as far as it will go in argument and
15 logical illation. We Englishmen stop very short of the principles upon which we support any given part of our constitution ; or even the whole of it together. I could easily, if I had not already tired you, give you very striking and convincing instances of it. This is nothing but what is
20 natural and proper. All government, indeed every human benefit and enjoyment, every virtue, and every prudent act, is founded on compromise and barter. We balance inconveniences ; we give and take ; we remit some rights that we may enjoy others ; and we choose rather to be happy citi-
25 zens than subtle disputants. As we must give away some natural liberty, to enjoy civil advantages ; so we must sacrifice some civil liberties, for the advantages to be derived from the communion and fellowship of a great empire. But, in all fair dealings, the thing bought must bear some proportion to
30 the purchase paid. None will barter away the immediate jewel of his soul.¹ Though a great house is apt to make

slaves haughty, yet it is purchasing a part of the artificial importance of a great empire too dear, to pay for it all essential rights, and all the intrinsic dignity of human nature. None of us who would not risk his life rather than fall under a government purely arbitrary. But although there are 5 some amongst us who think our constitution wants many improvements, to make it a complete system of liberty ; perhaps none who are of that opinion would think it right to aim at such improvement, by disturbing his country, and risking everything that is dear to him. In every arduous 10 enterprise, we consider what we are to lose as well as what we are to gain ; and the more and better stake of liberty every people possess, the less they will hazard in a vain attempt to make it more. These are *the cords of man*. Man acts from adequate motives relative to his interest ; and not 15 on metaphysical speculations. Aristotle, the great master of reasoning, cautions us, and with great weight and propriety, against this species of delusive geometrical accuracy in moral arguments, as the most fallacious of all sophistry.

The Americans will have no interest contrary to the grandeur and glory of England, when they are not oppressed 20 by the weight of it ; and they will rather be inclined to respect the acts of a superintending legislature, when they see them the acts of that power, which is itself the security, not the rival, of their secondary importance. In this assurance, my mind most perfectly acquiesces : and I confess, 25 I feel not the least alarm from the discontents which are to arise from putting people at their ease ; nor do I apprehend the destruction of this empire, from giving, by an act of free grace and indulgence, to two millions of my fellow-citizens 30 some share of those rights, upon which I have always been taught to value myself.

It is said, indeed, that this power of granting, vested in American assemblies, would dissolve the unity of the empire ; which was preserved entire, although Wales, and Chester, and Durham were added to it. Truly, Mr. Speaker, I do
5 not know what this unity means ; nor has it ever been heard of, that I know, in the constitutional policy of this country. The very idea of subordination of parts, excludes this notion of simple and undivided unity. England is the head ; but she is not the head and the members too. Ireland has ever
10 had from the beginning a separate, but not an independent, legislature ; which, far from distracting, promoted the union of the whole. Everything was sweetly and harmoniously disposed through both islands for the conservation of English dominion, and the communication of English liberties. I do
15 not see that the same principles might not be carried into twenty islands, and with the same good effect. This is my model with regard to America, as far as the internal circumstances of the two countries are the same. I know no other unity of this empire, than I can draw from its example dur-
20 ing these periods, when it seemed to my poor understanding more united than it is now, or than it is likely to be by the present methods.

But since I speak of these methods, I recollect, Mr. Speaker, almost too late, that I promised, before I finished,
25 to say something of the proposition of the noble lord¹ on the floor, which has been so lately received, and stands on your journals. I must be deeply concerned, whenever it is my misfortune to continue a difference with the majority of this House. But as the reasons for that difference are my
30 apology for thus troubling you, suffer me to state them in a very few words. I shall compress them into as small a

body as I possibly can, having already debated that matter at large, when the question was before the committee.

First, then, I cannot admit that proposition of a ransom by auction ;—because it is a mere project. It is a thing new ; unheard of ; supported by no experience ; justified by 5 no analogy ; without example of our ancestors, or root in the constitution.

It is neither regular parliamentary taxation, nor colony grant. *Experimentum in corpore vili*,¹ is a good rule, which will ever make me adverse to any trial of experiments on 10 what is certainly the most valuable of all subjects, the peace of this empire.

Secondly, it is an experiment which must be fatal in the end to our constitution. For what is it but a scheme for taxing the colonies in the antechamber of the noble lord and 15 his successors? To settle the quotas and proportions in this House, is clearly impossible. You, Sir, may flatter yourself you shall sit a state auctioneer, with your hammer in your hand, and knock down to each colony as it bids. But to settle (on the plan laid down by the noble lord) the true 20 proportional payment for four or five and twenty governments, according to the absolute and the relative wealth of each, and according to the British proportion of wealth and burthen, is a wild and chimerical notion. This new taxation must therefore come in by the back-door of the constitution.² 25 Each quota must be brought to this House ready formed ; you can neither add nor alter. You must register it. You can do nothing further. For on what grounds can you deliberate either before or after the proposition? You cannot hear the counsel for all these provinces, quarrelling each on 30 its own quantity of payment, and its proportion to others.

If you should attempt it, the committee of provincial ways and means, or by whatever other name it will delight to be called, must swallow up all the time of parliament.

Thirdly, it does not give satisfaction to the complaint of
5 the colonies. They complain, that they are taxed without their consent; you answer, that you will fix the sum at which they shall be taxed. That is, you give them the very grievance for the remedy. You tell them indeed, that you will leave the mode to themselves. I really beg pardon: it
10 gives me pain to mention it; but you must be sensible that you will not perform this part of the compact. For, suppose the colonies were to lay the duties, which furnished their contingent, upon the importation of your manufactures; you know you would never suffer such a tax to be
15 laid. You know, too, that you would not suffer many other modes of taxation. So that, when you come to explain yourself, it will be found, that you will neither leave to themselves the quantum nor the mode; nor indeed anything. The whole is delusion from one end to the other.

20 Fourthly, this method of ransom by auction, unless it be *universally* accepted, will plunge you into great and inextricable difficulties. In what year of our Lord are the proportions of payments to be settled? To say nothing of the impossibility that colony agents should have general powers
25 of taxing the colonies at their discretion; consider, I implore you, that the communication by special messages, and orders between these agents and their constituents on each variation of the case, when the parties come to contend together, and to dispute on their relative proportions, will be a matter of
30 delay, perplexity, and confusion that never can have an end.

If all the colonies do not appear at the outcry, what is the condition of those assemblies, who offer by themselves or their agents, to tax themselves up to your ideas of their proportion? The refractory colonies, who refuse all composition, will remain taxed only to your old impositions, which, 5 however grievous in principle, are trifling as to production. The obedient colonies in this scheme are heavily taxed; the refractory remain unburthened. What will you do? Will you lay new and heavier taxes by parliament on the disobedient? Pray consider in what way you can do it. You are 10 perfectly convinced, that, in the way of taxing, you can do nothing but at the ports. Now suppose it is Virginia that refuses to appear at your auction, while Maryland and North Carolina bid handsomely for their ransom, and are taxed to your quota, how will you put these colonies on a par? Will 15 you tax the tobacco of Virginia? If you do, you give its death-wound to your English revenue at home, and to one of the very greatest articles of your own foreign trade. If you tax the import of that rebellious colony, what do you tax but your own manufactures, or the goods of some other 20 obedient and already well-taxed colony? Who has said one word on this labyrinth of detail, which bewilders you more and more as you enter into it? Who has presented, who can present you with a clue, to lead you out of it? I think, Sir, it is impossible, that you should not recollect that the 25 colony bounds are so implicated in one another, (you know it by your other experiments in the bill for prohibiting the New England fishery,) that you can lay no possible restraints on almost any of them which may not be presently eluded, if you do not confound the innocent with the guilty, and 30 burthen those whom, upon every principle, you ought to

exonerate. He must be grossly ignorant of America, who thinks that, without falling into this confusion of all rules of equity and policy, you can restrain any single colony, especially Virginia and Maryland, the central and most important of them all.

Let it also be considered, that, either in the present confusion you settle a permanent contingent, which will and must be trifling ; and then you have no effectual revenue : or you change the quota at every exigency ; and then on every new repartition you will have a new quarrel.

Reflect besides, that when you have fixed a quota for every colony, you have not provided for prompt and punctual payment. Suppose one, two, five, ten years' arrears. You cannot issue a treasury extent against the failing colony.¹ You must make new Boston Port Bills, new restraining laws, new acts for dragging men to England for trial. You must send out new fleets, new armies. All is to begin again. From this day forward the empire is never to know an hour's tranquillity. An intestine fire will be kept alive in the bowels of the colonies, which one time or other must consume this whole empire. I allow indeed that the empire of Germany raises her revenue and her troops by quotas and contingents ; but the revenue of the empire, and the army of the empire, is the worst revenue and the worst army in the world.

Instead of a standing revenue, you will therefore have a perpetual quarrel. Indeed the noble lord, who proposed this project of a ransom by auction, seemed himself to be of that opinion. His project was rather designed for breaking the union of the colonies, than for establishing a revenue. He confessed, he apprehended that his proposal would not

be to *their taste*. I say, this scheme of disunion seems to be at the bottom of the project ; for I will not suspect that the noble lord meant nothing but merely to delude the nation by an airy phantom which he never intended to realize. But whatever his views may be ; as I propose the peace and 5 union of the colonies as the very foundation of my plan, it cannot accord with one whose foundation is perpetual discord.

Compare the two. This I offer to give you is plain and simple. The other full of perplexed and intricate mazes. 10 This is mild ; that harsh. This is found by experience effectual for its purposes ; the other is a new project. This is universal ; the other calculated for certain colonies only. This is immediate in its conciliatory operation ; the other remote, contingent, full of hazard. Mine is what becomes 15 the dignity of a ruling people ; gratuitous, unconditional, and not held out as matter of bargain and sale. I have done my duty in proposing it to you. I have indeed tired you by a long discourse ; but this is the misfortune of those to whose influence nothing will be conceded, and who must 20 win every inch of their ground by argument. You have heard me with goodness. May you decide with wisdom ! For my part, I feel my mind greatly disburthened by what I have done to-day. I have been the less fearful of trying your patience, because on this subject I mean to spare it 25 altogether in future. I have this comfort, that in every stage of the American affairs, I have steadily opposed the measures that have produced the confusion, and may bring on the destruction, of this empire. I now go so far as to risk a proposal of my own. If I cannot give peace to my 30 country, I give it to my conscience.

But what (says the financier) is peace to us without money? Your plan gives us no revenue. No! But it does — For it secures to the subject the power of REFUSAL; the first of all revenues. Experience is a cheat, and fact a
 5 liar, if this power in the subject of proportioning his grant, or if not granting at all, has not been found the richest mine of revenue ever discovered by the skill or by the fortune of man. It does not indeed vote you £152,750 : 11 : 2 $\frac{3}{4}$ ths, nor any other paltry limited sum. — But it gives the strong
 10 box itself, the fund, the bank, from whence only revenues can arise amongst a people sensible of freedom: *Posita luditur arca*.¹ Cannot you in England; cannot you at this time of day; cannot you, a House of Commons, trust to the principle which has raised so mighty a revenue, and accu-
 15 mulated a debt of near 140 millions in this country? Is this principle to be true in England, and false everywhere else? Is it not true in Ireland? Has it not hitherto been true in the colonies? Why should you presume, that, in any country, a body duly constituted for any function, will
 20 neglect to perform its duty, and abdicate its trust? Such a presumption would go against all governments in all modes. But, in truth, this dread of penury of supply, from a free assembly, has no foundation in nature. For first observe, that, besides the desire which all men have naturally of sup-
 25 porting the honour of their own government, that sense of dignity, and that security to property, which ever attends freedom, has a tendency to increase the stock of the free community. Most may be taken where most is accumulated. And what is the soil or climate where experience has not
 30 uniformly proved, that the voluntary flow of heaped-up plenty, bursting from the weight of its own rich luxuriance, has ever

run with a more copious stream of revenue, than could be squeezed from the dry husks of oppressed indigence, by the straining of all the politic machinery in the world.

Next we know, that parties must ever exist in a free country. We know, too, that the emulations of such parties, 5 their contradictions, their reciprocal necessities, their hopes, and their fears, must send them all in their turns to him that holds the balance of the state. The parties are the gamesters ; but government keeps the table, and is sure to be the winner in the end. When this game is played, I really think it is 10 more to be feared that the people will be exhausted, than that government will not be supplied. Whereas, whatever is got by acts of absolute power ill obeyed, because odious, or by contracts ill kept, because constrained, will be narrow, feeble, uncertain, and precarious. "*Ease would retract 15* *vows made in pain, as violent and void.*"¹

I, for one, protest against compounding our demands : I declare against compounding for a poor limited sum, the immense, overgrowing, eternal debt,² which is due to generous government from protected freedom. And so may I 20 speed in the great object I propose to you, as I think it would not only be an act of injustice, but would be the worst economy in the world, to compel the colonies to a sum certain, either in the way of ransom, or in the way of compulsory compact. 25

But to clear up my ideas on this subject — a revenue from America transmitted hither — do not delude yourselves — you never can receive it — No, not a shilling. We have experience that from remote countries it is not to be expected. If, when you attempted to extract revenue from 30 Bengal, you were obliged to return in loan what you had

taken in imposition ; what can you expect from North America ? For certainly, if ever there was a country qualified to produce wealth, it is India ; or an institution fit for the transmission, it is the East India Company. America
5 has none of these aptitudes. If America gives you taxable objects, on which you lay your duties here, and gives you, at the same time, a surplus by a foreign sale of her commodities to pay the duties on these objects, which you tax at home, she has performed her part to the British revenue.
10 But with regard to her own internal establishments ; she may, I doubt not she will, contribute in moderation. I say in moderation ; for she ought not to be permitted to exhaust herself. She ought to be reserved to a war ; the weight of which, with the enemies that we are most likely
15 to have, must be considerable in her quarter of the globe. There she may serve you, and serve you essentially.

For that service, for all service, whether of revenue, trade, or empire, my trust is in her interest in the British constitution. My hold of the colonies is in the close affection
20 which grows from common names, from kindred blood, from similar privileges, and equal protection. These are ties, which, though light as air, are as strong as links of iron. Let the colonies always keep the idea of their civil rights associated with your government ;—they will cling and
25 grapple to you ; and no force under heaven will be of power to tear them from their allegiance. But let it be once understood, that your government may be one thing, and their privileges another ; that these two things may exist without any mutual relation ; the cement is gone ; the
30 cohesion is loosened ; and everything hastens to decay and dissolution. As long as you have the wisdom to keep the

sovereign authority of this country as the sanctuary of liberty, the sacred temple consecrated to our common faith, wherever the chosen race and sons of England worship freedom, they will turn their faces towards you.¹ The more they multiply, the more friends you will have ; the more 5 ardently they love liberty, the more perfect will be their obedience. Slavery they can have anywhere. It is a weed that grows in every soil. They may have it from Spain, they may have it from Prussia. But, until you become lost to all feeling of your true interest and your natural dignity, free- 10 dom they can have from none but you. This is the commodity of price, of which you have the monopoly. This is the true act of navigation, which binds to you the commerce of the colonies, and through them secures to you the wealth of the world. Deny them this participation of freedom, and 15 you break that sole bond, which originally made, and must still preserve, the unity of the empire. Do not entertain so weak an imagination, as that your registers and your bonds, your affidavits and your sufferances, your cockets and your clearances, are what form the great securities of your com- 20 merce. Do not dream that your letters of office, and your instructions, and your suspending clauses, are the things that hold together the great contexture of the mysterious whole. These things do not make your government. Dead instruments, passive tools as they are, it is the spirit of the 25 English communion that gives all their life and efficacy to them. It is the spirit of the English constitution, which, infused through the mighty mass, pervades, feeds, unites, invigorates, vivifies every part of the empire, even down to the minutest member.²

30

Is it not the same virtue which does everything for us

here in England? Do you imagine then, that it is the land tax act which raises your revenue? that it is the annual vote in the committee of supply which gives you your army? or that it is the mutiny bill which inspires it with bravery and discipline? No! surely no! It is the love of the people; it is their attachment to their government, from the sense of the deep stake they have in such a glorious institution, which gives you your army and your navy, and infuses into both that liberal obedience, without which your army would be a base rabble, and your navy nothing but rotten timber.

All this, I know well enough, will sound wild and chimerical to the profane herd of those vulgar and mechanical politicians, who have no place among us; a sort of people who think that nothing exists but what is gross and material; and who therefore, far from being qualified to be directors of the great movement of empire, are not fit to turn a wheel in the machine. But to men truly initiated and rightly taught, these ruling and master principles, which, in the opinion of such men as I have mentioned, have no substantial existence, are in truth everything, and all in all. Magnanimity in politics is not seldom the truest wisdom; and a great empire and little minds go ill together. If we are conscious of our situation, and glow with zeal to fill our place as becomes our station and ourselves, we ought to auspicate all our public proceedings on America with the old warning of the church, *Sursum corda!*¹ We ought to elevate our minds to the greatness of that trust to which the order of Providence has called us. By adverting to the dignity of this high calling, our ancestors have turned a savage wilderness into a glorious empire; and have made the most extensive, and the only honourable conquests, not by destroy-

ing, but by promoting the wealth, the number, the happiness of the human race. Let us get an American revenue as we have got an American empire. English privileges have made it all that it is ; English privileges alone will make it all it can be.

5

In full confidence of this unalterable truth, I now (*quod felix faustumque sit*¹) lay the first stone of the temple of peace ; and I move you,

“That the colonies and plantations of Great Britain in North America, consisting of fourteen separate governments, 10 and containing two millions and upwards of free inhabitants, have not had the liberty and privilege of electing and sending any knights and burgesses, or others, to represent them in the high court of parliament.”

Upon this resolution, the previous question was put, and 15 carried ; — for the previous question 270, against it 78.

As the propositions were opened separately in the body of the speech, the reader perhaps may wish to see the whole of them together, in the form in which they were moved for.

“*Moved*, That the colonies and plantations of Great 20 Britain in North America, consisting of fourteen separate governments, and containing two millions and upwards of free inhabitants, have not had the liberty and privilege of electing and sending any knights and burgesses, or others, to represent them in the high court of parliament.”

25

“That the said colonies and plantations have been made liable to, and bounden by, several subsidies, payments, rates, and taxes, given and granted by parliament ; though the said colonies and plantations have not their knights and bur-

gesses, in the said high court of parliament, of their own election, to represent the condition of their country ; *by lack whereof, they have been oftentimes touched and grieved by subsidies given, granted, and assented to, in the said court,*
5 *in a manner prejudicial to the commonwealth, quietness, rest, and peace, of the subjects inhabiting within the same."*

"That, from the distance of the said colonies, and from other circumstances, no method hath hitherto been devised for procuring a representation in parliament for the said
10 colonies."

"That each of the said colonies hath within itself a body, chosen, in part or in the whole, by the freemen, freeholders, or other free inhabitants thereof, commonly called the general assembly, or general court ; with powers legally to raise,
15 levy, and assess, according to the several usage of such colonies, duties and taxes towards defraying all sorts of public services." ¹

"That the said general assemblies, general courts, or other bodies, legally qualified as aforesaid, have at sundry times
20 freely granted several large subsidies and public aids for his Majesty's service, according to their abilities, when required thereto by letter from one of his Majesty's principal secretaries of state ; and that their right to grant the same, and their cheerfulness and sufficiency in the said grants, have
25 been at sundry times acknowledged by parliament."

"That it hath been found by experience, that the manner of granting the said supplies and aids, by the said general assemblies, hath been more agreeable to the inhabitants of the said colonies, and more beneficial and conducive to the
30 public service, than the modè of giving and granting aids and subsidies in parliament to be raised and paid in the said colonies."

“That it may be proper to repeal an act, made in the seventh year of the reign of his present Majesty, intituled, An act for granting certain duties in the British colonies and plantations in America ; for allowing a drawback of the duties of customs, upon the exportation from this kingdom, 5 of coffee and cocoa-nuts, of the produce of the said colonies or plantations ; for discontinuing the drawbacks payable on China earthenware exported to America ; and for more effectually preventing the clandestine running of goods in the said colonies and plantations.” 10

“That it may be proper to repeal an act made in the fourteenth year of the reign of his present Majesty, intituled, An act to discontinue, in such manner, and for such time, as are therein mentioned, the landing and discharging, lading or shipping of goods, wares, and merchandise, at the town, and 15 within the harbour, of Boston, in the province of Massachusetts Bay, in North America.”

“That it may be proper to repeal an act, made in the fourteenth year of the reign of his present Majesty, intituled, An act for the impartial administration of justice, in cases of 20 persons questioned for any acts done by them in the execution of the law, or for the suppression of riots and tumults, in the province of Massachusetts Bay, in New England.”

“That it is proper to repeal an act, made in the fourteenth year of the reign of his present Majesty, intituled, An act 25 for the better regulating the government of the province of Massachusetts Bay, in New England.”

“That it is proper to explain and amend an act made in the thirty-fifth year of the reign of King Henry VIII., intituled, An act for the trial of treasons committed out of the 30 king’s dominions.”

“That, from the time when the general assembly, or general court, of any colony or plantation, in North America, shall have appointed, by act of assembly duly confirmed, a settled salary to the offices of the chief justice and judges of
5 the superior courts, it may be proper that the said chief justice and other judges of the superior courts of such colony shall hold his and their office and offices during their good behaviour ; and shall not be removed therefrom, but when the said removal shall be adjudged by his Majesty in council,
10 upon a hearing on complaint from the general assembly, or on a complaint from the governor, or council, or the house of representatives, severally, of the colony in which the said chief justice and other judges have exercised the said office.”

“That it may be proper to regulate the courts of admiralty,
15 or vice-admiralty, authorized by the fifteenth chapter of the fourth of George III., in such a manner, as to make the same more commodious to those who sue, or are sued, in the said courts ; *and to provide for the more decent maintenance of the judges of the same.*”

A LETTER
TO
JOHN FARR AND JOHN HARRIS, ESQRS.,
SHERIFFS OF THE CITY OF BRISTOL,
ON THE AFFAIRS OF AMERICA.

1777.

GENTLEMEN : I have the honour of sending you the two last acts which have been passed with regard to the troubles in America. These acts are similar to all the rest which have been made on the same subject. They operate by the same principle ; and they are derived from the very same policy. I think they complete the number of this sort of statutes to nine. It affords no matter for very pleasing reflection to observe that our subjects diminish as our laws increase. 5

If I have the misfortune of differing with some of my fellow-citizens on this great and arduous subject, it is no small consolation to me that I do not differ from you. With you I am perfectly united. We are heartily agreed in our detestation of a civil war. We have ever expressed the most unqualified disapprobation of all the steps which have led to it, and of all those which tend to prolong it. And I have no doubt that we feel exactly the same emotions of grief and shame in all its miserable consequences ; whether they appear, on the one side or the other, in the shape of 10 15

victories or defeats, of captures made from the English on the continent, or from the English in these islands ; of legislative regulations which subvert the liberties of our brethren, or which undermine our own.

5 Of the first of these statutes (that for the letter of marque)¹ I shall say little. Exceptionable as it may be, and as I think it is in some particulars, it seems the natural, perhaps necessary, result of the measures we have taken, and the situation we are in. The other (for a partial suspension of the *Habeas*
10 *Corpus*)² appears to me of a much deeper malignity. During its progress through the House of Commons, it has been amended, so as to express, more distinctly than at first it did, the avowed sentiments of those who framed it : and the main ground of my exception to it is, because it does express,
15 and does carry into execution, purposes which appear to me so contradictory to all the principles, not only of the constitutional policy of Great Britain, but even of that species of hostile justice, which no asperity of war wholly extinguishes in the minds of a civilized people.

20 It seems to have in view two capital objects ; the first, to enable administration to confine, as long as it shall think proper, those whom that act is pleased to qualify by the name of *pirates*. Those so qualified I understand to be the commanders and mariners of such privateers and ships of
25 war belonging to the colonies, as in the course of this unhappy contest may fall into the hands of the crown. They are therefore to be detained in prison, under the criminal description of piracy, to a future trial and ignominious punishment, whenever circumstances shall make it convenient
30 to execute vengeance on them, under the colour of that odious and infamous offence.

To this first purpose of the law I have no small dislike; because the act does not (as all laws and all equitable transactions ought to do) fairly describe its object. The persons who make a naval war upon us, in consequence of the present troubles, may be rebels; but to call and treat them as pirates, 5 is confounding, not only the natural distinction of things, but the order of crimes: which, whether by putting them from a higher part of the scale to the lower, or from the lower to the higher, is never done without dangerously disordering the whole frame of jurisprudence. Though piracy may be, 10 in the eye of the law, a *less* offence than treason; yet as both are, in effect, punished with the same death, the same forfeiture, and the same corruption of blood, I never would take from any fellow-creature whatever any sort of advantage which he may derive to his safety from the pity of mankind, 15 or to his reputation from their general feelings, by degrading his offence, when I cannot soften his punishment. The general sense of mankind tells me, that those offences, which may possibly arise from mistaken virtue, are not in the class of infamous actions. Lord Coke, the oracle of the English 20 law, conforms to that general sense where he says, that "those things which are of the highest criminality may be of the least disgrace." The act prepares a sort of masked proceeding, not honourable to the justice of the kingdom, and by no means necessary for its safety. I cannot enter 25 into it. If Lord Balmerino,¹ in the last rebellion, had driven off the cattle of twenty clans, I should have thought it would have been a scandalous and low juggle, utterly unworthy of the manliness of an English judicature, to have tried him for felony as a stealer of cows. 30

Besides, I must honestly tell you, that I could not vote for,

or countenance in any way, a statute, which stigmatizes with the crime of piracy these men, whom an act of parliament had previously put out of the protection of the law. When the legislature of this kingdom had ordered all their ships
 5 and goods, for the mere new-created offence of exercising trade, to be divided as a spoil among the seamen of the navy,¹ —to consider the necessary reprisal of an unhappy, proscribed, interdicted people, as the crime of piracy, would have appeared, in any other legislature than ours, a strain of
 10 the most insulting and most unnatural cruelty and injustice. I assure you I never remember to have heard of anything like it in any time or country.

The second professed purpose of the act is, to detain in England for trial those who shall commit high treason in
 15 America.

That you may be enabled to enter into the true spirit of the present law, it is necessary, gentlemen, to apprise you, that there is an act, made so long ago as in the reign of Henry the Eighth, before the existence or thought of any
 20 English colonies in America, for the trial in this kingdom of treasons committed out of the realm. In the year 1769, parliament thought proper to acquaint the crown with their construction of that act in a formal address, wherein they entreated his Majesty to cause persons, charged with high
 25 treason in America, to be brought into this kingdom for trial. By this act of Henry the Eighth, *so construed and so applied*, almost all that is substantial and beneficial in a trial by a jury is taken away from the subject in the colonies.² This is however saying too little ; for to try a man under
 30 that act is, in effect, to condemn him unheard. A person is brought hither in the dungeon of a ship's hold ; thence he

is vomited into a dungeon on land ; loaded with irons, unfurnished with money, unsupported by friends, three thousand miles from all means of calling upon or confronting evidence, where no one local circumstance that tends to detect perjury, can possibly be judged of ;—such a person may be executed 5 according to form, but he can never be tried according to justice.

I therefore could never reconcile myself to the bill I send you ; which is expressly provided to remove all inconveniences from the establishment of a mode of trial, which has 10 ever appeared to me most unjust and most unconstitutional. Far from removing the difficulties which impede the execution of so mischievous a project, I would heap new difficulties upon it, if it were in my power. All the ancient, honest, 15 juridical principles and institutions of England are so many clogs to check and retard the headlong course of violence and oppression. They were invented for this one good purpose, that what was not just should not be convenient. Convinced of this, I would leave things as I found them. The old, cool-headed, general law, is as good as any devia- 20 tion dictated by present heat.

I could see no fair, justifiable expedience pleaded to favour this new suspension of the liberty of the subject. If the English in the colonies can support the independency, to which they have been unfortunately driven, I suppose no- 25 body has such a fanatical zeal for the criminal justice of Henry the Eighth, that he will contend for executions which must be retaliated tenfold on his own friends ; or who has conceived so strange an idea of English dignity, as to think the defeats in America compensated by the triumphs at Ty- 30 burn.¹ If, on the contrary, the colonies are reduced to the

obedience of the crown, there must be, under that authority, tribunals in the country itself, fully competent to administer justice on all offenders. But if there are not, and that we must suppose a thing so humiliating to our government, as
5 that all this vast continent should unanimously concur in thinking, that no ill fortune can convert resistance to the royal authority into a criminal act, we may call the effect of our victory peace, or obedience, or what we will ; but the war is not ended ; the hostile mind continues in full vigour,
10 and it continues under a worse form. If your peace be nothing more than a sullen pause from arms ; if their quiet be nothing but the meditation of revenge, where smitten pride smarting from its wounds festers into new rancour ; neither the act of Henry the Eighth, nor its handmaid of this reign,
15 will answer any wise end of policy or justice. For if the bloody fields, which they saw and felt, are not sufficient to subdue the reason of America, (to use the expressive phrase of a great lord in office,) it is not the judicial slaughter, which is made in another hemisphere against their universal
20 sense of justice, that will ever reconcile them to the British government.

I take it for granted, gentlemen, that we sympathize in a proper horror of all punishment further than as it serves for an example. To whom then does the example of an execu-
25 tion in England for this American rebellion apply? Remember, you are told every day, that the present is a contest between the two countries ; and that we in England are at war for *our own* dignity against our rebellious children. Is this true? If it be, it is surely among such rebellious chil-
30 dren that examples for disobedience should be made, to be in any degree instructive : for whoever thought of teaching

parents their duty by an example from the punishment of an undutiful son? As well might the execution of a fugitive negro in the plantations be considered as a lesson to teach masters humanity to their slaves. Such executions may indeed satiate our revenge ; they may harden our hearts, and puff us up with pride and arrogance. Alas ! this is not instruction ! 5

If anything can be drawn from such examples by a parity of the case, it is to show how deep their crime and how heavy their punishment will be, who shall at any time dare to resist a distant power actually disposing of their property, without their voice or consent to the disposition ; and overturning their franchises without charge or hearing. God forbid that England should ever read this lesson written in the blood of *any* of her offspring ! 15

War is at present carried on between the king's natural and foreign troops¹ on one side, and the English in America on the other, upon the usual footing of other wars ; and accordingly an exchange of prisoners has been regularly made from the beginning. If notwithstanding this hitherto equal procedure, upon some prospect of ending the war with success, (which however may be delusive,) administration prepares to act against those as *traitors* who remain in their hands at the end of the troubles, in my opinion we shall exhibit to the world as indecent a piece of injustice as ever civil fury has produced. If the prisoners, who have been exchanged, have not by that exchange been *virtually pardoned*, the cartel (whether avowed or understood) is a cruel fraud ; for you have received the life of a man, and you ought to return a life for it, or there is no parity of fairness in the transaction. 20 25 30

If, on the other hand, we admit, that they who are actually exchanged are pardoned, but contend that you may justly reserve for vengeance those who remain unexchanged ; then this unpleasant and unhandsome consequence will follow ;
5 that you judge of the delinquency of men merely by the time of their guilt, and not by the heinousness of it ; and you make fortune and accidents, and not the moral qualities of human action, the rule of your justice.

These strange incongruities must ever perplex those who
10 confound the unhappiness of civil dissensions with the crime of treason. Whenever a rebellion really and truly exists, which is as easily known in fact as it is difficult to define in words, government has not entered into such military conventions ; but has ever declined all intermediate treaty, which
15 should put rebels in possession of the law of nations with regard to war. Commanders would receive no benefits at their hands, because they could make no return for them. Who has ever heard of capitulation, and parole of honour, and exchange of prisoners, in the late rebellions in this king-
20 dom? The answer to all demands of that sort was, "We can engage for nothing ; you are at the king's pleasure." We ought to remember, that if our present enemies be, in reality and truth, rebels, the king's generals have no right to release them upon any conditions whatsoever ; and they are
25 themselves answerable to the law, and as much in want of a pardon for doing so, as the rebels whom they release.

Lawyers, I know, cannot make the distinction for which I contend ; because they have their strict rule to go by. But legislators ought to do what lawyers cannot ; for they have
30 no other rules to bind them, but the great principles of reason and equity, and the general sense of mankind. These

they are bound to obey and follow ; and rather to enlarge and enlighten law by the liberality of legislative reason, than to fetter and bind their higher capacity by the narrow constructions of subordinate, artificial justice. If we had adverted to this, we never could consider the convulsions of a great empire, not disturbed by a little disseminated faction, but divided by whole communities and provinces, and entire legal representatives of a people, as fit matter of discussion under a commission of Oyer and Terminer.¹ It is as opposite to reason and prudence, as it is to humanity and justice.

This act, proceeding on these principles, that is, preparing to end the present troubles by a trial of one sort of hostility under the name of piracy, and of another by the name of treason, and executing the act of Henry the Eighth according to a new and unconstitutional interpretation, I have thought evil and dangerous, even though the instruments of effecting such purposes had been merely of a neutral quality.

But it really appears to me, that the means which this act employs are, at least, as exceptionable as the end. Permit me to open myself a little upon this subject, because it is of importance to me, when I am obliged to submit to the power without acquiescing in the reason of an act of legislature, that I should justify my dissent by such arguments as may be supposed to have weight with a sober man.

The main operative regulation of the act is to suspend the common law, and the statute *Habeas Corpus*, (the sole securities either for liberty or justice,) with regard to all those who have been out of the realm, or on the high seas, within a given time. The rest of the people, as I understand, are to continue as they stood before.

I confess, gentlemen, that this appears to me as bad in the

principle, and far worse in its consequence, than an universal suspension of the *Habeas Corpus* act ; and the limiting qualification, instead of taking out the sting, does in my humble opinion sharpen and envenom it to a greater degree. Liberty,
5 if I understand it at all, is a *general* principle, and the clear right of all the subjects within the realm, or of none. Partial freedom seems to me a most invidious mode of slavery. But, unfortunately, it is the kind of slavery the most easily admitted in times of civil discord ; for parties are but too apt to forget
10 their own future safety in their desire of sacrificing their enemies. People without much difficulty admit the entrance of that injustice of which they are not to be the immediate victims. In times of high proceeding it is never the faction of the predominant power that is in danger : for no tyranny
15 chastises its own instruments. It is the obnoxious and the suspected who want the protection of law ; and there is nothing to bridle the partial violence of state factions, but this ; “ that whenever an act is made for a cessation of law and justice, the whole people should be universally subjected
20 to the same suspension of their franchises.” The alarm of such a proceeding would then be universal. It would operate as a sort of *Call of the nation*. It would become every man’s immediate and instant concern to be made very sensible of *the absolute necessity* of this total eclipse of liberty. They
25 would more carefully advert to every renewal, and more powerfully resist it. These great determined measures are not commonly so dangerous to freedom. They are marked with too strong lines to slide into use. No plea, nor pretence, of *inconvenience or evil example* (which must in their nature
30 be daily and ordinary incidents) can be admitted as a reason for such mighty operations. But the true danger is,

when liberty is nibbled away, for expedients, and by parts. The *Habeas Corpus* act supposes, contrary to the genius of most other laws, that the lawful magistrate may see particular men with a malignant eye, and it provides for that identical case. But when men, in particular descriptions, marked out 5 by the magistrate himself, are delivered over by parliament to this possible malignity, it is not the *Habeas Corpus* that is occasionally suspended, but its spirit that is mistaken, and its principle that is subverted. Indeed nothing is security to any individual but the common interest of all. 10

This act, therefore, has this distinguished evil in it, that it is the first *partial* suspension of the *Habeas Corpus* that has been made. The precedent, which is always of very great importance, is now established. For the first time a distinction is made among the people within this realm. Before 15 this act, every man putting his foot on English ground, every stranger owing only a local and temporary allegiance, even negro slaves who had been sold in the colonies and under an act of parliament, became as free as every other man who breathed the same air with them. Now a line is drawn, 20 which may be advanced farther and farther at pleasure, on the same argument of mere expedience, on which it was first described. There is no equality among us ; we are not fellow-citizens, if the mariner, who lands on the quay, does not rest on as firm legal ground as the merchant who sits in 25 his counting-house. Other laws may injure the community, this dissolves it. As things now stand, every man in the West Indies, every one inhabitant of three unoffending provinces on the continent, every person coming from the East Indies, every gentleman who has travelled for his health or 30 education, every mariner who has navigated the seas, is, for

no other offence, under a temporary proscription. Let any of these facts (now become presumptions of guilt) be proved against him, and the bare suspicion of the crown puts him out of the law. It is even by no means clear to me, whether
5 the negative proof does not lie upon the person apprehended on suspicion, to the subversion of all justice.

I have not debated against this bill in its progress through the House ; because it would have been vain to oppose, and impossible to correct it. It is some time since I have been
10 clearly convinced, that in the present state of things all opposition to any measures proposed by ministers, where the name of America appears, is vain and frivolous. You may be sure that I do not speak of my opposition, which in all circumstances must be so ; but that of men of the
15 greatest wisdom and authority in the nation. Everything proposed against America is supposed of course to be in favour of Great Britain. Good and ill success are equally admitted as reasons for persevering in the present methods. Several very prudent, and very well-intentioned, persons were
20 of opinion, that during the prevalence of such dispositions, all struggle rather inflamed than lessened the distemper of the public councils. Finding such resistance to be considered as factious by most within-doors, and by very many without, I cannot conscientiously support what is against my
25 opinion, nor prudently contend with what I know is irresistible. Preserving my principles unshaken, I reserve my activity for rational endeavours ; and I hope that my past conduct has given sufficient evidence that if I am a single day from my place, it is not owing to indolence or love of
30 dissipation. The slightest hope of doing good is sufficient to recall me to what I quitted with regret. In declining for

some time my usual strict attendance, I do not in the least condemn the spirit of those gentlemen, who, with a just confidence in their abilities, (in which I claim a sort of share from my love and admiration of them,) were of opinion that their exertions in this desperate case might be of some service. They thought, that by contracting the sphere of its application, they might lessen the malignity of an evil principle. Perhaps they were in the right. But when my opinion was so very clearly to the contrary, for the reasons I have just stated, I am sure *my* attendance would have been ridiculous.¹ 5 10

I must add in further explanation of my conduct, that, far from softening the features of such a principle, and thereby removing any part of the popular odium or natural terrors attending it, I should be sorry that anything framed in contradiction to the spirit of our constitution did not instantly produce, in fact, the grossest of the evils with which it was pregnant in its nature. It is by lying dormant a long time, or being at first very rarely exercised, that arbitrary power steals upon a people. On the next unconstitutional act, all the fashionable world will be ready to say—Your prophecies are ridiculous, your fears are vain, you see how little of the mischiefs which you formerly foreboded are come to pass. Thus, by degrees, that artful softening of all arbitrary power, the alleged infrequency or narrow extent of its operation, will be received as a sort of aphorism—and Mr. *Hume* will not be singular in telling us that the felicity of mankind is no more disturbed by it, than by earthquakes or thunder, or the other more unusual accidents of nature. 15 20 25

The act of which I speak is among the fruits of the American war; a war in my humble opinion productive of 30

many mischiefs, of a kind which distinguish it from all others. Not only our policy is deranged, and our empire distracted, but our laws and our legislative spirit appear to have been totally perverted by it. We have made war on
5 our colonies, not by arms only, but by laws. As hostility and law are not very concordant ideas, every step we have taken in this business has been made by trampling on some maxim of justice, or some capital principle of wise government. What precedents were established, and what prin-
10 ciples overturned, (I will not say of English privilege, but of general justice,) in the Boston Port, the Massachusetts Charter, the Military Bill,¹ and all that long array of hostile acts of parliament, by which the war with America has been begun and supported ! Had the principles of any of these
15 acts been first exerted on English ground, they would probably have expired as soon as they touched it. But by being removed from our persons, they have rooted in our laws, and the latest posterity will taste the fruits of them.

Nor is it the worst effect of this unnatural contention,
20 that our *laws* are corrupted. Whilst *manners* remain entire, they will correct the vices of law, and soften it at length to their own temper. But we have to lament, that in most of the late proceedings we see very few traces of that generosity, humanity, and dignity of mind, which formerly char-
25 acterized this nation. War suspends the rules of moral obligation, and what is long suspended is in danger of being totally abrogated. Civil wars strike deepest of all into the manners of the people. They vitiate their politics ; they corrupt their morals ; they pervert even the natural taste
30 and relish of equity and justice. By teaching us to consider our fellow-citizens in a hostile light, the whole body of our

nation becomes gradually less dear to us. The very names of affection and kindred, which were the bond of charity whilst we agreed, become new incentives to hatred and rage, when the communion of our country is dissolved. We may flatter ourselves that we shall not fall into this misfortune. But we have no charter of exemption, that I know of, from the ordinary frailties of our nature. 5

What but that blindness of heart which arises from the phrensy of civil contention, could have made any persons conceive the present situation of the British affairs as an object of triumph to themselves, or of congratulation to their sovereign? Nothing surely could be more lamentable to those who remember the flourishing days of this kingdom, than to see the insane joy of several unhappy people, amidst the sad spectacle which our affairs and conduct exhibit to the scorn of Europe. We behold (and it seems some people rejoice in beholding) our native land, which used to sit the envied arbiter of all her neighbours, reduced to a servile dependence on their mercy; acquiescing in assurances of friendship which she does not trust; complaining of hostilities which she dares not resent; deficient to her allies; lofty to her subjects, and submissive to her enemies;¹ whilst the liberal government of this free nation is supported by the hireling sword of German boors and vassals; and three millions of the subjects of Great Britain are seeking for protection to English privileges in the arms of France!² 15 20 25

These circumstances appear to me more like shocking prodigies, than natural changes in human affairs. Men of firmer minds may see them without staggering or astonishment. — Some may think them matters of congratulation and complimentary addresses; but I trust your candour will be 30

so indulgent to my weakness, as not to have the worse opinion of me for my declining to participate in this joy, and my rejecting all share whatsoever in such a triumph. I am too old, too stiff in my inveterate partialities, to be ready at
5 all the fashionable evolutions of opinion. I scarcely know how to adapt my mind to the feelings with which the court gazettes mean to impress the people. It is not instantly that I can be brought to rejoice, when I hear of the slaughter and captivity of long lists of those names which have been
10 familiar to my ears from my infancy, and to rejoice that they have fallen under the sword of strangers, whose barbarous appellations I scarcely know how to pronounce. The glory acquired at the White Plains by Colonel Raillie has no charms for me ; and I fairly acknowledge, that I have not
15 yet learned to delight in finding Fort Kniphausen in the heart of the British dominions.¹

It might be some consolation for the loss of our old regards, if our reason were enlightened in proportion as our honest prejudices are removed. Wanting feelings for
20 the honour of our country, we might then in cold blood be brought to think a little of our interests as individual citizens, and our private conscience as moral agents.

Indeed our affairs are in a bad condition. I do assure those gentlemen who have prayed for war, and have obtained
25 the blessing they have sought, that they are at this instant in very great straits. The abused wealth of this country continues a little longer to feel its distemper. As yet they, and their German allies of twenty hireling states,² have contended only with the unprepared strength of our own infant
30 colonies. But America is not subdued. Not one unattacked village which was originally adverse throughout that vast

continent, has yet submitted from love or terror. You have the ground you encamp on ; and you have no more. The cantonments of your troops and your dominions are exactly of the same extent. You spread devastation, but you do not enlarge the sphere of authority. 5

The events of this war are of so much greater magnitude than those who either wished or feared it ever looked for, that this alone ought to fill every considerate mind with anxiety and diffidence. Wise men often tremble at the very things which fill the thoughtless with security. For many 10 reasons I do not choose to expose to public view all the particulars of the state in which you stood with regard to foreign powers, during the whole course of the last year. Whether you are yet wholly out of danger from them, is more than I know, or than your rulers can divine. But 15 even if I were certain of my safety, I could not easily forgive those who had brought me into the most dreadful perils, because by accidents, unforeseen by them or me, I have escaped.

Believe me, gentlemen, the way still before you is intricate, 20 dark, and full of perplexed and treacherous mazes. Those who think they have the clue may lead us out of this labyrinth. We may trust them as amply as we think proper ; but as they have most certainly a call for all the reason which their stock can furnish, why should we think it proper 25 to disturb its operation by inflaming their passions? I may be unable to lend an helping hand to those who direct the state ; but I should be ashamed to make myself one of a noisy multitude to halloo and hearten them into doubtful and dangerous courses. A conscientious man would be 30 cautious how he dealt in blood. He would feel some ap-

prehesion at being called to a tremendous account for engaging in so deep a play, without any sort of knowledge of the game. It is no excuse for presumptuous ignorance, that it is directed by insolent passion. The poorest being
5 that crawls on earth, contending to save itself from injustice and oppression, is an object respectable in the eyes of God and man. But I cannot conceive any existence under heaven, (which, in the depths of its wisdom, tolerates all sorts of things,) that is more truly odious and disgusting,
10 than an impotent, helpless creature, without civil wisdom or military skill, without a consciousness of any other qualification for power but his servility to it, bloated with pride and arrogance, calling for battles which he is not to fight, contending for a violent dominion which he can never exercise,
15 and satisfied to be himself mean and miserable, in order to render others contemptible and wretched.

If you and I find our talents not of the great and ruling kind, our conduct, at least, is conformable to our faculties. No man's life pays the forfeit of our rashness. No desolate
20 widow weeps tears of blood over our ignorance. Scrupulous and sober in our well-grounded distrust of ourselves, we would keep in the port of peace and security ; and perhaps in recommending to others something of the same diffidence, we should show ourselves more charitable in their welfare,
25 than injurious to their abilities.

There are many circumstances in the zeal shown for civil war, which seem to discover but little of real magnanimity. The addressers offer their own persons, and they are satisfied with hiring Germans. They promise their private fortunes, and they mortgage their country. They have all the
30 merit of volunteers, without risk of person or charge of con-

tribution ; and when the unfeeling arm of a foreign soldiery pours out their kindred blood like water, they exult and triumph as if they themselves had performed some notable exploit. I am really ashamed of the fashionable language which has been held for some time past ; which, to say the best of it, is full of levity. You know that I allude to the general cry against the cowardice of the Americans, as if we despised them for not making the king's soldiery purchase the advantage they have obtained at a dearer rate.¹ It is not, gentlemen, it is not to respect the dispensations of Providence, nor to provide any decent retreat in the mutability of human affairs. It leaves no medium between insolent victory and infamous defeat. It tends to alienate our minds farther and farther from our natural regards, and to make an eternal rent and schism in the British nation. Those who do not wish for such a separation, would not dissolve that cement of reciprocal esteem and regard, which can alone bind together the parts of this great fabric. It ought to be our wish, as it is our duty, not only to forbear this style of outrage ourselves, but to make every one as sensible as we can of the impropriety and unworthiness of the tempers which give rise to it, and which designing men are labouring with such malignant industry to diffuse amongst us. It is our business to counteract them, if possible ; if possible, to awake our natural regards ; and to revive the old partiality to the English name. Without something of this kind I do not see how it is ever practicable really to reconcile with those, whose affection, after all, must be the surest hold of our government ; and which is a thousand times more worth to us, than the mercenary zeal of all the circles of Germany.

I can well conceive a country completely overrun, and miserably wasted, without approaching in the least to settlement. In my apprehension, as long as English government is attempted to be supported over Englishmen by the sword
5 alone, things will thus continue. I anticipate in my mind the moment of the final triumph of foreign military force. When that hour arrives, (for it may arrive,) then it is, that all this mass of weakness and violence will appear in its full light. If we should be expelled from America, the delusion
10 of the partisans of military government might still continue. They might still feed their imaginations with the possible good consequences which might have attended success. Nobody could prove the contrary by facts. But in case the sword should do all that the sword can do, the success of
15 their arms and the defeat of their policy will be one and the same thing. You will never see any revenue from America. Some increase of the means of corruption, without ease of the public burthens, is the very best that can happen. Is it for this that we are at war ; and in such a war ?

20 As to the difficulties of laying once more the foundations of that government, which, for the sake of conquering what was our own, has been voluntarily and wantonly pulled down by a court faction here, I tremble to look at them. Has any of these gentlemen, who are so eager to govern all mankind,
25 showed himself possessed of the first qualification towards government, some knowledge of the object, and of the difficulties which occur in the task they have undertaken ?

I assure you, that, on the most prosperous issue of your arms, you will not be where you stood, when you called in
30 war to supply the defects of your political establishment. Nor would any disorder or disobedience to government

which could arise from the most abject concession on our part, ever equal those which will be felt, after the most triumphant violence. You have got all the intermediate evils of war into the bargain.

I think I know America.¹ If I do not, my ignorance is 5 incurable, for I have spared no pains to understand it : and I do most solemnly assure those of my constituents who put any sort of confidence in my industry and integrity, that every thing that has been done there has arisen from a total misconception of the object ; that our means of originally 10 holding America, that our means of reconciling with it after quarrel, of recovering it after separation, of keeping it after victory, did depend, and must depend in their several stages and periods, upon a total renunciation of that unconditional submission, which has taken such possession of the minds 15 of violent men. The whole of those maxims, upon which we have made and continued this war, must be abandoned. Nothing indeed (for I would not deceive you) can place us in our former situation. That hope must be laid aside. But there is a difference between bad and the worst of all. 20 Terms relative to the cause of the war ought to be offered by the authority of parliament. An arrangement at home promising some security for them ought to be made. By doing this, without the least impairing of our strength, we add to the credit of our moderation, which, in itself, is 25 always strength more or less.

I know many have been taught to think, that moderation, in a case like this, is a sort of treason ; and that all arguments for it are sufficiently answered by railing at rebels and rebellion, and by charging all the present or future miseries, 30 which we may suffer, on the resistance of our brethren. But

I would wish them, in this grave matter, and if peace is not wholly removed from their hearts, to consider seriously, first, that to criminate and recriminate never yet was the road to reconciliation, in any difference amongst men. In the next
5 place, it would be right to reflect, that the American English (whom they may abuse, if they think it honourable to revile the absent) can, as things now stand, neither be provoked at our railing, nor bettered by our instruction. All communication is cut off between us,¹ but this we know with cer-
10 tainty, that, though we cannot reclaim them, we may reform ourselves. If measures of peace are necessary, they must begin somewhere ; and a conciliatory temper must precede and prepare every plan of reconciliation. Nor do I conceive that we suffer anything by thus regulating our own
15 minds. We are not disarmed by being disencumbered of our passions. Declaiming on rebellion never added a bayonet, or a charge of powder, to your military force ; but I am afraid that it has been the means of taking up many muskets against you.

20 This outrageous language, which has been encouraged and kept alive by every art, has already done incredible mischief. For a long time, even amidst the desolations of war, and the insults of hostile laws daily accumulated on one another, the American leaders seem to have had the greatest difficulty in
25 bringing up their people to a declaration of total independence.² But the court gazette accomplished what the abettors of independence had attempted in vain. When that disingenuous compilation, and strange medley of railing and flattery, was adduced as a proof of the united sentiments of the
30 people of Great Britain, there was a great change throughout all America. The tide of popular affection, which had

still set towards the parent country, begun immediately to turn, and to flow with great rapidity in a contrary course. Far from concealing these wild declarations of enmity, the author of the celebrated pamphlet, which prepared the minds of the people for independence, insist largely on the multitude and the spirit of these addresses; and he draws an argument from them, which (if the fact was as he supposes) must be irresistible. For I never knew a writer on the theory of government so partial to authority as not to allow, that the hostile mind of the rulers to their people did fully justify a change of government; nor can any reason whatever be given, why one people should voluntarily yield any degree of pre-eminence to another, but on a supposition of great affection and benevolence towards them. Unfortunately your rulers, trusting to other things, took no notice of this great principle of connexion. From the beginning of this affair, they have done all they could to alienate your minds from your own kindred; and if they could excite hatred enough in one of the parties towards the other, they seemed to be of opinion that they had gone half the way towards reconciling the quarrel.

I know it is said, that your kindness is only alienated on account of their resistance; and therefore if the colonies surrender at discretion, all sort of regard, and even much indulgence, is meant towards them in future. But can those who are partisans for continuing a war to enforce such a surrender be responsible (after all that has passed) for such a future use of a power, that is bound by no compacts, and restrained by no terror? Will they tell us what they call indulgences? Do they not at this instant call the present war, and all its horrors, a lenient and merciful proceeding?

No conqueror, that I ever heard of, has *professed* to make a cruel, harsh, and insolent use of his conquest. No ! The man of the most declared pride scarcely dares to trust his own heart with this dreadful secret of ambition. But it will
5 appear in its time ; and no man, who professes to reduce another to the insolent mercy of a foreign arm, ever had any sort of good-will towards him. The profession of kindness, with that sword in his hand, and that demand of surrender, is one of the most provoking acts of his hostility. I shall be
10 told, that all this is lenient as against rebellious adversaries. But are the leaders of their faction more lenient to those who submit? Lord Howe and General Howe have powers, under an act of parliament, to restore to the king's peace and to free trade any men, or district, which shall submit.¹
15 Is this done? We have been over and over informed by the authorized gazette, that the city of New York, and the countries of Staten and Long Island, have submitted voluntarily and cheerfully, and that many are very full of zeal to the cause of administration. Were they instantly restored
20 to trade? Are they yet restored to it? Is not the benignity of two commissioners, naturally most humane and generous men, some way fettered by instructions, equally against their dispositions and spirit of parliamentary faith ; when Mr. Tryon, vaunting of the fidelity of the city in which he is
25 governor, is obliged to apply to ministry for leave to protect the king's loyal subjects, and to grant to them (not the disputed rights and privileges of freedom) but the common rights of men, by the name of *graces* ? Why do not the commissioners restore them on the spot? Were they not
30 named as commissioners for that express purpose? But we see well enough to what the whole leads. The trade of

America is to be dealt out in *private indulgences and graces* ;¹ that is, in jobs to recompense the incendiaries of war. They will be informed of the proper time in which to send out their merchandise. From a national, the American trade is to be turned into a personal monopoly : and one set of merchants 5 are to be rewarded for the pretended zeal, of which another set are the dupes ; and thus, between craft and credulity, the voice of reason is stifled ; and all the misconduct, all the calamities of the war are covered and continued.

If I had not lived long enough to be little surprised at 10 anything, I should have been in some degree astonished at the continued rage of several gentlemen, who, not satisfied with carrying fire and sword into America, are animated nearly with the same fury against those neighbours of theirs, whose only crime it is, that they have charitably and hu- 15 manely wished them to entertain more reasonable sentiments, and not always to sacrifice their interest to their passion. All this rage against unresisting dissent convinces me, that, at bottom, they are far from satisfied they are in the right. For what is it they would have ? A war ? They 20 certainly have at this moment the blessing of something that is very like one ; and if the war they enjoy at present be not sufficiently hot and extensive, they may shortly have it as warm and as spreading as their hearts can desire.² Is it the force of the kingdom they call for ? They have it 25 already ; and if they choose to fight their battles in their own person, nobody prevents their setting sail to America in the next transports. Do they think, that the service is stinted for want of liberal supplies ? Indeed they complain without reason. The table of the House of Commons will 30 glut them, let their appetite for expense be never so keen.

And I assure them further, that those who think with them in the House of Commons are full as easy in the control, as they are liberal in the vote, of these expenses. If this be not supply or confidence sufficient, let them open their own
5 private purse-strings, and give, from what is left to them, as largely and with as little care as they think proper.

Tolerated in their passions, let them learn not to persecute the moderation of their fellow-citizens. If all the world joined them in a full cry against rebellion, and were as hotly
10 inflamed against the whole theory and enjoyment of freedom, as those who are the most factious for servitude, it could not in my opinion answer any one end whatsoever in this contest. The leaders of this war could not hire (to gratify their friends) one German more than they do; or
15 inspire him with less feeling for the persons, or less value for the privileges, of their revolted brethren. If we all adopted their sentiments to a man, their allies, the savage Indians, could not be more ferocious than they are: they could not murder one more helpless woman or child, or with more
20 exquisite refinements of cruelty torment to death one more of their English flesh and blood, than they do already. The public money is given to purchase this alliance;—and they have their bargain.

They are continually boasting of unanimity; or calling for
25 it. But before this unanimity can be matter either of wish or congratulation, we ought to be pretty sure that we are engaged in a rational pursuit. Phrensy does not become a slighter distemper on account of the number of those who may be infected with it. Delusion and weakness produce
30 not one mischief the less, because they are universal. I declare, that I cannot discern the least advantage which

could accrue to us, if we were able to persuade our colonies that they had not a single friend in Great Britain. On the contrary, if the affections and opinions of mankind be not exploded as principles of connexion, I conceive it would be happy for us if they were taught to believe, that there was even a formed American party in England, to whom they could always look for support ! Happy would it be for us, if, in all tempers, they might turn their eyes to the parent state ; so that their very turbulence and sedition should find vent in no other place than this. I believe there is not a man (except those who prefer the interest of some paltry faction to the very being of their country) who would not wish that the Americans should from time to time carry many points, and even some of them not quite reasonable by the aid of any denomination of men here, rather than they should be driven to seek for protection against the fury of foreign mercenaries, and the waste of savages, in the arms of France.

When any community is subordinately connected with another, the great danger of the connexion is the extreme pride and self-complacency of the superior, which in all matters of controversy will probably decide in its own favour. It is a powerful corrective to such a very rational cause of fear, if the inferior body can be made to believe, that the party inclination, or political views, of several in the principal state, will induce them in some degree to counteract this blind and tyrannical partiality. There is no danger that any one acquiring consideration or power in the presiding state should carry this learning to the inferior too far. The fault of human nature is not of that sort. Power, in whatever hands, is rarely guilty of too strict limitations on itself.

But one great advantage to the support of authority attends such an amicable and protecting connexion, that those who have conferred favours obtain influence ; and from the foresight of future events can persuade men, who have received obligations, sometimes to return them. Thus by the mediation of those healing principles, (call them good or evil,) troublesome discussions are brought to some sort of adjustment ; and every hot controversy is not a civil war.

But, if the colonies (to bring the general matter home to us) could see, that, in Great Britain, the mass of the people is melted into its government, and that every dispute with the ministry must of necessity be always a quarrel with the nation ; they can stand no longer in the equal and friendly relation of fellow-citizens to the subjects of this kingdom. Humble as this relation may appear to some, when it is once broken, a strong tie is dissolved. Other sort of connexions will be sought. For, there are very few in the world, who will not prefer a useful ally to an insolent master.

Such discord has been the effect of the unanimity into which so many have of late been seduced or bullied, or into the appearance of which they have sunk through mere despair. They have been told that their dissent from violent measures is an encouragement to rebellion. Men of great presumption and little knowledge will hold a language which is contradicted by the whole course of history. *General* rebellions and revolts of a whole people never were *encouraged*, now or at any time. They are always *provoked*. But if this unheard-of doctrine of the encouragement of rebellion were true, if it were true that an assurance of the friendship of numbers in this country towards the colonies could become an encouragement to them to break off all connexion with

it, what is the inference? Does anybody seriously maintain, that, charged with my share of the public councils, I am obliged not to resist projects which I think mischievous, lest men who suffer should be encouraged to resist? The very tendency of such projects to produce rebellion is one 5 of the chief reasons against them. Shall that reason not be given? Is it then a rule, that no man in this nation shall open his mouth in favour of the colonies, shall defend their rights, or complain of their sufferings? Or when war finally breaks out, no man shall express his desires of peace? Has 10 this been the law of our past, or is it to be the terms of our future connexion? Even looking no farther than ourselves, can it be true loyalty to any government, or true patriotism towards any country, to degrade their solemn councils into servile drawing-rooms, to flatter their pride and passions, 15 rather than to enlighten their reason, and to prevent them from being cautioned against violence lest others should be encouraged to resistance? By such acquiescence great kings and mighty nations have been undone ; and if any are at this day in a perilous situation from resisting truth, and listening 20 to flattery, it would rather become them to reform the errors under which they suffer, than to reproach those who forewarned them of their danger.

But the rebels looked for assistance from this country. They did so, in the beginning of this controversy, most cer- 25 tainly ; and they sought it by earnest supplications to government, which dignity rejected, and by a suspension of commerce, which the wealth of this nation enabled you to despise. When they found that neither prayers nor menaces had any sort of weight, but that a firm resolution was taken 30 to reduce them to unconditional obedience by a military

force, they came to the last extremity. Despairing of us, they trusted in themselves. Not strong enough themselves, they sought succour in France. In proportion as all encouragement here lessened, their distance from this country
5 increased. The encouragement is over; the alienation is complete.¹

In order to produce this favourite unanimity in delusion, and to prevent all possibility of a return to our ancient happy concord, arguments for our continuance in this course
10 are drawn from the wretched situation itself into which we have been betrayed. It is said, that being at war with the colonies, whatever our sentiments might have been before, all ties between us are now dissolved; and all the policy we have left is to strengthen the hands of government to reduce
15 them. On the principle of this argument, the more mischiefs we suffer from any administration, the more our trust in it is to be confirmed. Let them but once get us into a war, and then their power is safe, and an act of oblivion passed for all their misconduct.

20 But is it really true, that government is always to be strengthened with the instruments of war, but never furnished with the means of peace? In former times, ministers, I allow, have been sometimes driven by the popular voice to assert by arms the national honour against foreign
25 powers. But the wisdom of the nation has been far more clear, when those ministers have been compelled to consult its interest by treaty. We all know that the sense of the nation obliged the court of King Charles the Second to abandon the *Dutch war*; a war next to the present the
30 most impolitic which we ever carried on. The good people of England considered Holland as a sort of dependency on

this kingdom ; they dreaded to drive it to the protection, or subject it to the power of France, by their own inconsiderate hostility. They paid but little respect to the court jargon of that day ; nor were they inflamed by the pretended rivalship of the Dutch in trade ; by their massacre 5 at Amboyna,¹ acted on the stage to provoke the public vengeance ; nor by declamations against the ingratitude of the United Provinces for the benefits England had conferred upon them in their infant state. They were not moved from 10 their evident interest by all these arts ; nor was it enough to tell them, they were at war ; that they must go through with it ; and that the cause of the dispute was lost in the consequences. The people of England were then, as they are now, called upon to make government strong. They thought it a great deal better to make it wise and honest. 15

When I was amongst my constituents at the last summer assizes, I remember that men of all descriptions did then express a very strong desire for peace, and no slight hopes of attaining it from the commission sent out by my Lord Howe. And it is not a little remarkable, that, in proportion 20 as every person showed a zeal for the court measures, he was then earnest in circulating an opinion of the extent of the supposed powers of that commission. When I told them that Lord Howe had no powers to treat, or to promise satisfaction on any point whatsoever of the controversy, I 25 was hardly credited ; so strong and general was the desire of terminating this war by the method of accommodation. As far as I could discover, this was the temper then prevalent through the kingdom. The king's forces, it must be observed, had at that time been obliged to evacuate Boston. 30 The superiority of the former campaign rested wholly with

the colonists. If such powers of treaty were to be wished, whilst success was very doubtful, how came they to be less so, since his Majesty's arms have been crowned with many considerable advantages? Have these successes induced us
5 to alter our mind ; as thinking the season of victory not the time for treating with honour or advantage? Whatever changes have happened in the national character, it can scarcely be our wish, that terms of accommodation never should be proposed to our enemy, except when they must
10 be attributed solely to our fears. It has happened, let me say unfortunately, that we read of his Majesty's commission for making peace, and his troops evacuating his last town in the thirteen colonies, at the same hour and in the same gazette.¹ It was still more unfortunate, that no commission
15 went to America to settle the troubles there, until several months after an act had been passed to put the colonies out of the protection of this government, and to divide their trading property, without a possibility of restitution, as spoil among the seamen of the navy. The most abject submission
20 on the part of the colonies could not redeem them. There was no man on that whole continent, or within three thousand miles of it, qualified by law to follow allegiance with protection, or submission with pardon. A proceeding of this kind has no example in history. Independency, and inde-
25 pendency with an enmity, (which putting ourselves out of the question, would be called natural and much provoked,) was the inevitable consequence. How this came to pass, the nation may be one day in an humour to inquire.

All the attempts made this session to give fuller powers of
30 peace to the commanders in America, were stifled by the fatal confidence of victory, and the wild hopes of uncon-

ditional submission. There was a moment favourable to the king's arms, when if any powers of concession had existed on the other side of the Atlantic, even after all our errors, peace in all probability might have been restored.¹ But calamity is unhappily the usual season of reflection; and the pride of men will not often suffer reason to have any scope until it can be no longer of service.

I have always wished, that as the dispute had its apparent origin from things done in parliament, and as the acts passed there had provoked the war, that the foundations of peace should be laid in parliament also. I have been astonished to find, that those, whose zeal for the dignity of our body was so hot as to light up the flames of civil war, should even publicly declare, that these delicate points ought to be wholly left to the crown. Poorly as I may be thought affected to the authority of parliament, I shall never admit that our constitutional rights can ever become a matter of ministerial negotiation.

I am charged with being an American. If warm affection towards those over whom I claim any share of authority be a crime, I am guilty of this charge. But I do assure you, (and they who know me publicly and privately will bear witness to me,) that if ever one man lived more zealous than another for the supremacy of parliament, and the rights of this imperial crown, it was myself. Many others indeed might be more knowing in the extent of the foundation of these rights. I do not pretend to be an antiquary, a lawyer, or qualified for the chair of professor in metaphysics. I never ventured to put your solid interests upon speculative grounds.² My having constantly declined to do so has been attributed to my incapacity for such disquisitions; and I am

inclined to believe it is partly the cause. I never shall be ashamed to confess, that where I am ignorant I am diffident. I am indeed not very solicitous to clear myself of this imputed incapacity ; because men, even less conversant than I am in
5 this kind of subtleties, and placed in stations to which I ought not to aspire, have, by the mere force of civil discretion, often conducted the affairs of great nations with distinguished felicity and glory.

When I first came into a public trust, I found your parliament in possession of an unlimited legislative power over the colonies.¹ I could not open the statute book without seeing the actual exercise of it, more or less, in all cases whatsoever. This possession passed with me for a title. It does so in all human affairs. No man examines into the defects
15 of his title to his paternal estate, or to his established government. Indeed common sense taught me, that a legislative authority, not actually limited by the express terms of its foundation, or by its own subsequent acts, cannot have its powers parcelled out by argumentative distinctions, so as
20 to enable us to say, that here they can, and there they cannot, bind. Nobody was so obliging as to produce to me any record of such distinctions, by compact or otherwise, either at the successive formation of the several colonies, or during the existence of any of them. If any gentlemen
25 were able to see how one power could be given up (merely on abstract reasoning) without giving up the rest, I can only say, that they saw farther than I could ; nor did I ever presume to condemn any one for being clear-sighted, when I was blind. I praise the penetration and learning ; and hope
30 that their practice has been correspondent to their theory.

I had indeed very earnest wishes to keep the whole body

of this authority perfect and entire as I found it: and to keep it so, not for our advantage solely; but principally for the sake of those, on whose account all just authority exists; I mean the people to be governed. For I thought I saw, that many cases might well happen, in which the exercise of every power comprehended in the broadest idea of legislature, might become, in its time and circumstances, not a little expedient for the peace and union of the colonies amongst themselves, as well as for their perfect harmony with Great Britain. Thinking so, (perhaps erroneously,) but being honestly of that opinion, I was at the same time very sure, that the authority, of which I was so jealous, could not under the actual circumstances of our plantations be at all preserved in any of its members, but by the greatest reserve in its application; particularly in those delicate points, in which the feelings of mankind are the most irritable. They who thought otherwise, have found a few more difficulties in their work than (I hope) they were thoroughly aware of, when they undertook the present business. I must beg leave to observe, that it is not only the invidious branch of taxation that will be resisted, but that no other given part of legislative rights can be exercised, without regard to the general opinion of those who are to be governed. That general opinion is the vehicle and organ of legislative omnipotence. Without this, it may be a theory to entertain the mind, but it is nothing in the direction of affairs. The completeness of the legislative authority of parliament *over this kingdom* is not questioned; and yet many things indubitably included in the abstract idea of that power, and which carry no absolute injustice in themselves, yet being contrary to the opinions and feelings of the people, can as little be exercised, as

if parliament in that case had been possessed of no right at all. I see no abstract reason, which can be given, why the same power, which made and repealed the High-Commission Court and the Star-Chamber, might not revive them again ;¹
 5 and these courts, warned by their former fate, might possibly exercise their powers with some degree of justice. But the madness would be as unquestionable, as the competence of that parliament which should attempt such things. If anything can be supposed out of the power of human legis-
 10 lature, it is religion : I admit, however, that the established religion of this country has been three or four times altered by act of parliament ; and therefore that a statute binds even in that case. But we may very safely affirm, that, notwithstanding this apparent omnipotence, it would be now
 15 found as impossible for king and parliament to alter the established religion of this country, as it was to King James alone, when he attempted to make such an alteration without a parliament. In effect, to follow, not to force the public inclination ; to give a direction, a form, a technical dress,
 20 and a specific sanction, to the general sense of the community, is the true end of legislature.

It is so with regard to the exercise of all the powers which our constitution knows in any of its parts, and indeed to the substantial existence of any of the parts themselves. The
 25 king's negative to bills is one of the most indisputed of the royal prerogatives ; and it extends to all cases whatsoever. I am far from certain, that if several laws which I know had fallen under the stroke of that sceptre, that the public would have had a very heavy loss. But it is not the *propriety* of
 30 the exercise which is in question. The exercise itself is wisely forborne. Its repose may be the preservation of its

existence ; and its existence may be the means of saving the constitution itself, on an occasion worthy of bringing it forth. As the disputants, whose accurate and logical reasonings have brought us into our present condition, think it absurd, that powers or members of any constitution should exist, rarely or never to be exercised, I hope I shall be excused in mentioning another instance, that is material. We know, that the Convocation of the Clergy¹ had formerly been called, and sat with nearly as much regularity to business as parliament itself. It is now called for form only. It sits for the purpose of making some polite ecclesiastical compliments to the king ; and, when that grace is said, retires and is heard of no more. It is however *a part of the constitution*, and may be called out into act and energy, whenever there is occasion ; and whenever those, who conjure up that spirit, will choose to abide the consequences. It is wise to permit its legal existence ; it is much wiser to continue it a legal existence only. So truly has prudence (constituted as the god of this lower world) the entire dominion over every exercise of power committed into its hands ; and yet I have lived to see prudence and conformity to circumstances wholly set at nought in our late controversies, and treated as if they were the most contemptible and irrational of all things. I have heard it a hundred times very gravely alleged, that in order to keep power in wind, it was necessary, by preference, to exert it in those very points in which it was most likely to be resisted, and the least likely to be productive of any advantage.

These were the considerations, gentlemen, which led me early to think, that, in the comprehensive dominion which the Divine Providence had put into our hands, instead of

troubling our understandings with speculations concerning the unity of empire, and the identity or distinction of legislative powers, and inflaming our passions with the heat and pride of controversy, it was our duty, in all soberness, to conform our government to the character and circumstances of the several people who composed this mighty and strangely diversified mass. I never was wild enough to conceive, that one method would serve for the whole ; that the natives of Hindostan and those of Virginia could be ordered in the same manner ; or that the Cutchery court¹ and the grand jury of Salem could be regulated on a similar plan. I was persuaded that government was a practical thing, made for the happiness of mankind, and not to furnish out a spectacle of uniformity, to gratify the schemes of visionary politicians.

Our business was to rule, not to wrangle ; and it would have been a poor compensation that we had triumphed in a dispute, whilst we lost an empire.

If there be one fact in the world perfectly clear it is this : “That the disposition of the people of America is wholly averse to any other than a free government ;” and this is indication enough to any honest statesman, how he ought to adapt whatever power he finds in his hands to their case. If any ask me what a free government is, I answer, that, for any practical purpose, it is what the people think so ; and that they, and not I, are the natural, lawful, and competent judges of this matter. If they practically allow me a greater degree of authority over them than is consistent with any correct ideas of perfect freedom, I ought to thank them for so great a trust, and not to endeavour to prove from thence, that they have reasoned amiss, and that having gone so far, by analogy, they must hereafter have no enjoyment but by my pleasure.

If we had seen this done by any others, we should have concluded them far gone in madness. It is melancholy as well as ridiculous, to observe the kind of reasoning with which the public has been amused, in order to divert our minds from the common sense of our American policy. 5 There are people, who have split and anatomized the doctrine of free government, as if it were an abstract question concerning metaphysical liberty and necessity; and not a matter of moral prudence and natural feeling. They have disputed, whether liberty be a positive or a negative idea; 10 whether it does not consist in being governed by laws, without considering what are the laws, or who are the makers; whether man has any rights by nature; and whether all the property he enjoys be not the alms of his government, and his life itself their favour and indulgence. Others, corrupt- 15 ing religion, as these have perverted philosophy, contend, that Christians are redeemed into captivity; and the blood of the Saviour of mankind has been shed to make them the slaves of a few proud and insolent sinners. These shocking extremes provoking to extremes of another kind, 20 speculations are let loose as destructive to all authority, as the former are to all freedom; and every government is called tyranny and usurpation which is not formed on their fancies. In this manner the stirrers-up of this contention, not satisfied with distracting our dependencies and filling 25 them with blood and slaughter, are corrupting our understandings: they are endeavouring to tear up, along with practical liberty, all the foundations of human society, all equity and justice, religion and order.

Civil freedom, gentlemen, is not, as many have endeav- 30 oured to persuade you, a thing that lies hid in the depth of

abstruse science. It is a blessing and a benefit, not an abstract speculation; and all the just reasoning that can be upon it is of so coarse a texture, as perfectly to suit the ordinary capacities of those who are to enjoy, and of those
5 who are to defend it. Far from any resemblance to those propositions in geometry and metaphysics, which admit no medium, but must be true or false in all their latitude; social and civil freedom, like all other things in common life, are variously mixed and modified, enjoyed in very different
10 degrees, and shaped into an infinite diversity of forms, according to the temper and circumstances of every community. The *extreme* of liberty (which is its abstract perfection, but its real fault) obtains nowhere, nor ought to obtain anywhere. Because extremes, as we all know, in every point
15 which relates either to our duties or satisfactions in life, are destructive both to virtue and enjoyment.¹ Liberty too must be limited in order to be possessed. The degree of restraint it is impossible in any case to settle precisely. But it ought to be the constant aim of every wise public council, to find
20 out by cautious experiments, and rational, cool endeavours, with how little, not how much, of this restraint, the community can subsist. For liberty is a good to be improved, and not an evil to be lessened. It is not only a private blessing of the first order, but the vital spring and energy of
25 the state itself, which has just so much life and vigour as there is liberty in it. But whether liberty be advantageous or not, (for I know it is a fashion to decry the very principle,) none will dispute that peace is a blessing; and peace must in the course of human affairs be frequently bought by
30 some indulgence and toleration at least to liberty. For as the sabbath (though of Divine institution) was made for

man, not man for the sabbath, government, which can claim no higher origin or authority, in its exercise at least, ought to conform to the exigences of the time, and the temper and character of the people, with whom it is concerned ; and not always to attempt violently to bend the people to 5 their theories of subjection. The bulk of mankind on their part are not excessively curious concerning any theories, whilst they are really happy ; and one sure symptom of an ill-conducted state is the propensity of the people to resort 10 to them.

But when subjects, by a long course of such ill conduct, are once thoroughly inflamed, and the state itself violently distempered, the people must have some satisfaction to their feelings more solid than a sophistical speculation on law and government. Such was our situation ; and such a satisfac- 15 tion was necessary to prevent recourse to arms ; it was necessary towards laying them down ; it will be necessary to prevent the taking them up again and again. Of what nature this satisfaction ought to be, I wish it had been the disposition of parliament seriously to consider. It was certainly a 20 deliberation that called for the exertion of all their wisdom.

I am, and ever have been, deeply sensible of the difficulty of reconciling the strong presiding power, that is so useful towards the conservation of a vast, disconnected, infinitely diversified empire, with that liberty and safety of the prov- 25 inces, which they must enjoy, (in opinion and practice at least,) or they will not be provinces at all. I know, and have long felt, the difficulty of reconciling the unwieldy haughtiness of a great ruling nation, habituated to command, pampered by enormous wealth, and confident from a long 30 course of prosperity and victory, to the high spirit of free

dependencies, animated with the first glow and activity of juvenile heat, and assuming to themselves, as their birth-right, some part of that very pride which oppresses them. They who perceive no difficulty in reconciling these temper,
5 pers, (which however to make peace must some way or other be reconciled,) are much above my capacity, or much below the magnitude of the business. Of one thing I am perfectly clear, that it is not by deciding the suit, but by compromising the difference, that peace can be restored or kept. They
10 who would put an end to such quarrels, by declaring roundly in favour of the whole demands of either party, have mistaken, in my humble opinion, the office of a mediator.

The war is now of full two years' standing; the controversy, of many more. In different periods of the dispute,
15 different methods of reconciliation were to be pursued. I mean to trouble you with a short state of things at the most important of these periods, in order to give you a more distinct idea of our policy with regard to this most delicate of all objects. The colonies were from the beginning subject
20 to the legislature of Great Britain, on principles which they never examined; and we permitted to them many local privileges, without asking how they agreed with that legislative authority. Modes of administration were formed in an insensible and very unsystematic manner. But they gradu-
25 ally adapted themselves to the varying condition of things.— What was first a single kingdom, stretched into an empire; and an imperial superintendency, of some kind or other, became necessary. Parliament, from a mere representative of the people, and a guardian of popular privileges for its
30 own immediate constituents, grew into a mighty sovereign. Instead of being a control on the crown on its own behalf,

it communicated a sort of strength to the royal authority ; which was wanted for the conservation of a new object, but which could not be safely trusted to the crown alone. On the other hand, the colonies, advancing by equal steps, and governed by the same necessity, had formed within them- 5 selves, either by royal instruction or royal charter, assemblies so exceedingly resembling a parliament, in all their forms, functions, and powers, that it was impossible they should not imbibe some opinion of a similar authority.¹

At the first designation of these assemblies, they were 10 probably not intended for anything more, (nor perhaps did they think themselves much higher,) than the municipal corporations within this island, to which some at present love to compare them. But nothing in progression can rest on its original plan. We may as well think of rocking a grown 15 man in the cradle of an infant. Therefore as the colonies prospered and increased to a numerous and mighty people, spreading over a very great tract of the globe ; it was natural that they should attribute to assemblies, so respectable in their formal constitution, some part of the dignity of the 20 great nations which they represented. No longer tied to by-laws, these assemblies made acts of all sorts and in all cases whatsoever. They levied money, not for parochial purposes, but upon regular grants to the crown, following all the rules and principles of a parliament to which they approached 25 every day more and more nearly. Those who think themselves wiser than Providence, and stronger than the course of nature, may complain of all this variation, on the one side or the other, as their several humours and prejudices may lead them. But things could not be otherwise ; and English 30 colonies must be had on these terms, or not had at all. In

the mean time, neither party felt any inconvenience from this double legislature, to which they had been formed by imperceptible habits, and old custom, the great support of all the governments in the world. Though these two leg-
 5 latures were sometimes found perhaps performing the very same functions, they did not very grossly or systematically clash. In all likelihood this arose from mere neglect; possibly from the natural operation of things, which, left to themselves, generally fall into their proper order. But what-
 10 ever was the cause, it is certain that a regular revenue, by the authority of parliament, for the support of civil and military establishments, seems not to have been thought of until the colonies were too proud to submit, too strong to be forced, too enlightened not to see all the consequences which must
 15 arise from such a system.

If ever this scheme of taxation was to be pushed against the inclinations of the people, it was evident that discussions must arise, which would let loose all the elements that composed this double constitution; would show how much each
 20 of their members had departed from its original principles; and would discover contradictions in each legislature, as well to its own first principles as to its relation to the other, very difficult, if not absolutely impossible, to be reconciled.

Therefore at the first fatal opening of this contest, the
 25 wisest course seemed to be to put an end as soon as possible to the immediate causes of the dispute; and to quiet a discussion, not easily settled upon clear principles, and arising from claims, which pride would permit neither party to abandon, by resorting as nearly as possible to the old, suc-
 30 cessful course. A mere repeal of the obnoxious tax, with a declaration of the legislative authority of this kingdom, was

then fully sufficient to procure peace to *both sides*. Man is a creature of habit, and, the first breach being of very short continuance, the colonies fell back exactly into their ancient state. The congress has used an expression with regard to this pacification, which appears to me truly significant. After the repeal of the stamp act, "the colonies fell," says this assembly, "into their ancient state of *unsuspecting confidence in the mother country*."¹ This unsuspecting confidence is the true centre of gravity amongst mankind, about which all the parts are at rest. It is this *unsuspecting confidence* that removes all difficulties, and reconciles all the contradictions which occur in the complexity of all ancient, puzzled, political establishments. Happy are the rulers which have the secret of preserving it !

The whole empire has reason to remember, with eternal gratitude, the wisdom and temper of that man² and his excellent associates, who, to recover this confidence, formed a plan of pacification in 1766. That plan, being built upon the nature of man, and the circumstances and habits of the two countries, and not on any visionary speculations, perfectly answered its end, as long as it was thought proper to adhere to it. Without giving a rude shock to the dignity (well or ill understood) of this parliament, they gave perfect content to our dependencies. Had it not been for the mediatorial spirit and talents of that great man, between such clashing pretensions and passions, we should then have rushed headlong (I know what I say) into the calamities of that civil war, in which, by departing from his system, we are at length involved ; and we should have been precipitated into that war, at a time when circumstances both at home and abroad were far, very far, more unfavourable

unto us than they were at the breaking out of the present troubles.

I had the happiness of giving my first votes in parliament for their pacification. I was one of those almost unanimous
 5 members, who, in the necessary concessions of parliament, would as much as possible have preserved its authority, and respected its honour. I could not at once tear from my heart prejudices which were dear to me, and which bore a resemblance to virtue. I had then, and I have still, my
 10 partialities. What parliament gave up, I wished to be given as of grace, and favour, and affection, and not as a restitution of stolen goods. High dignity relented as it was soothed; and a benignity from old acknowledged greatness had its full effect on our dependencies. Our unlimited declaration
 15 of legislative authority produced not a single murmur. If this undefined power has become odious since that time, and full of horror to the colonies, it is because the *unsuspicious confidence* is lost, and the parental affection, in the bosom of whose boundless authority they reposed their privileges, is
 20 become estranged and hostile.

It will be asked, if such was then my opinion of the mode of pacification, how I came to be the very person who moved, not only for a repeal of all the late coercive statutes, but for mutilating, by a positive law, the entireness of the legislative
 25 power of parliament, and cutting off from it the whole right of taxation? I answer, because a different state of things requires a different conduct. When the dispute had gone to these last extremities, (which no man laboured more to prevent than I did,) the concessions which had satisfied in the
 30 beginning, could satisfy no longer; because the violation of tacit faith required explicit security. The same cause which

has introduced all formal compacts and covenants among men made it necessary. I mean habits of soreness, jealousy, and distrust. I parted with it, as with a limb ; but as a limb to save the body ; and I would have parted with more, if more had been necessary ; anything rather than a fruitless, 5 hopeless, unnatural civil war. This mode of yielding would, it is said, give way to independency, without a war. I am persuaded from the nature of things, and from every information, that it would have had a directly contrary effect. But if it had this effect, I confess that I should prefer independ- 10 ency without war, to independency with it ; and I have so much trust in the inclinations and prejudices of mankind, and so little in anything else, that I should expect ten times more benefit to this kingdom from the affection of America, though under a separate establishment, than from her perfect 15 submission to the crown and parliament, accompanied with her terror, disgust, and abhorrence. Bodies tied together by so unnatural a bond of union as mutual hatred, are only connected to their ruin.

One hundred and ten respectable members of parliament 20 voted for that concession. Many not present, when the motion was made, were of the sentiments of those who voted. I knew it would then have made peace. I am not without hopes that it would do so at present if it were adopted. No benefit, no revenue, could be lost by it ; some- 25 thing might possibly be gained by its consequences. For be fully assured, that, of all the phantoms that ever deluded the fond hopes of a credulous world, a parliamentary revenue in the colonies is the most perfectly chimerical. Your breaking them to any subjection, far from relieving your burthens, 30 (the pretext for this war,) will never pay that military force

which will be kept up to the destruction of their liberties and yours. I risk nothing in this prophecy.

Gentlemen, you have my opinion on the present state of public affairs. Mean as they may be in themselves, your
5 partiality has made them of some importance. Without troubling myself to inquire whether I am under a formal obligation to it, I have a pleasure in accounting for my conduct to my constituents. I feel warmly on this subject, and I express myself as I feel. If I presume to blame any
10 public proceeding, I cannot be supposed to be personal. Would to God I could be suspected of it. My fault might be greater, but the public calamity would be less extensive. If my conduct has not been able to make any impression on the warm part of that ancient and powerful party, with whose
15 support I was not honoured at my election ; on my side, my respect, regard, and duty to them is not at all lessened. I owe the gentlemen who compose it my most humble service in everything. I hope that whenever any of them were pleased to command me, that they found me perfectly equal
20 in my obedience. But flattery and friendship are very different things ; and to mislead is not to serve them. I cannot purchase the favour of any man by concealing from him what I think his ruin. By the favour of my fellow-citizens, I am the representative of an honest, well-ordered, virtuous
25 city ; of a people, who preserve more of the original English simplicity, and purity of manners, than perhaps any other. You possess among you several men and magistrates of large and cultivated understandings ; fit for any employment in any sphere. I do, to the best of my power, act so as to make
30 myself worthy of so honourable a choice. If I were ready, on any call of my own vanity or interest, or to answer any

election purpose, to forsake principles, (whatever they are,) which I had formed at a mature age, on full reflection, and which had been confirmed by long experience, I should forfeit the only thing which makes you pardon so many errors and imperfections in me. Not that I think it fit for any one to rely too much on his own understanding ; or to be filled with a presumption, not becoming a Christian man, in his own personal stability and rectitude. 5

I hope I am far from that vain confidence, which almost always fails in trial. I know my weakness in all respects, as much at least as any enemy I have ; and I attempt to take security against it. The only method which has ever been found effectual to preserve any man against the corruption of nature and example, is an habit of life and communication of counsels with the most virtuous and public-spirited men of the age you live in. Such a society cannot be kept without advantage, or deserted without shame. For this rule of conduct I may be called in reproach a *party man* ; but I am little affected with such aspersions. In the way which they call party, I worship the constitution of your fathers ; and I shall never blush for my political company. All reverence to honour, all idea of what it is, will be lost out of the world, before it can be imputed as a fault to any man, that he has been closely connected with those incomparable persons, living and dead, with whom for eleven years I have constantly thought and acted. If I have wandered out of the paths of rectitude into those of interested faction, it was in company with the Saviles, the Dowdeswells, the Wentworths, the Bentincks ;¹ with the Lenoxes, the Manchesters, the Keppels, the Saunderses ; with the temperate, permanent, hereditary virtue of the whole House of Cavendish ;² names, among 10 15 20 25 30

which, some have extended your fame and empire in arms, and all have fought the battle of your liberties in fields not less glorious. — These, and many more like these, grafting public principles on private honour, have redeemed the present age, and would have adorned the most splendid period in your history. Where could any man, conscious of his own inability to act alone, and willing to act as he ought to do, have arranged himself better? If any one thinks this kind of society to be taken up as the best method of gratifying low, personal pride, or ambitious interest, he is mistaken ; and he knows nothing of the world.

Preferring this connexion, I do not mean to detract in the slightest degree from others. There are some of those, whom I admire at something of a greater distance, with whom I have had the happiness also perfectly to agree, in almost all the particulars, in which I have differed with some successive administrations ; and they are such, as it never can be reputable to any government to reckon among its enemies. I hope there are none of you corrupted with the doctrine taught by wicked men for the worst purposes, and received by the malignant credulity of envy and ignorance, which is, that the men who act upon the public stage are all alike ; all equally corrupt ; all influenced by no other views than the sordid lure of salary and pension. The thing I know by experience to be false. Never expecting to find perfection in men, and not looking for Divine attributes in created beings, in my commerce with my contemporaries, I have found much human virtue. I have seen not a little public spirit ; a real subordination of interest to duty ; and a decent and regulated sensibility to honest fame and reputation. The age unquestionably produces (whether in a

greater or less number than former times, I know not) daring profligates, and insidious hypocrites. What then? Am I not to avail myself of whatever good is to be found in the world, because of the mixture of evil that will always be in it? The smallness of the quantity in currency only heightens the value. They who raise suspicions on the good on account of the behaviour of ill men, are of the party of the latter. The common cant is no justification for taking this party. I have been deceived, say they, by *Titius* and *Mævius*; I have been the dupe of this pretender or of that mountebank; and I can trust appearances no longer. But my credulity and want of discernment cannot, as I conceive, amount to a fair presumption against any man's integrity. A conscientious person would rather doubt his own judgment, than condemn his species. He would say, I have observed without attention, or judged upon erroneous maxims; I trusted to profession, when I ought to have attended to conduct. Such a man will grow wise, not malignant, by his acquaintance with the world. But he that accuses all mankind of corruption, ought to remember that he is sure to convict only one. In truth I should much rather admit those, whom at any time I have disrelished the most, to be patterns of perfection, than seek a consolation to my own unworthiness, in a general communion of depravity with all about me.

That this ill-natured doctrine should be preached by the missionaries of a court, I do not wonder. It answers their purpose. But that it should be heard among those who pretend to be strong assertors of liberty, is not only surprising, but hardly natural. This moral levelling is a *servile principle*. It leads to practical passive obedience far better than all the

doctrines which the pliant accommodation of theology to power has ever produced. It cuts up by the roots, not only all idea of forcible resistance, but even of civil opposition. It disposes men to an abject submission, not by opinion, 5 which may be shaken by argument or altered by passion, but by the strong ties of public and private interest. For if all men who act in a public situation are equally selfish, corrupt, and venal, what reason can be given for desiring any sort of change, which, besides the evils which must attend 10 all changes, can be productive of no possible advantage? The active men in the state are true samples of the mass. If they are universally depraved, the commonwealth itself is not sound. We may amuse ourselves with talking as much as we please of the virtue of middle or humble life ; that is, 15 we may place our confidence in the virtue of those who have never been tried. But if the persons who are continually emerging out of that sphere, be no better than those whom birth has placed above it, what hopes are there in the remainder of the body, which is to furnish the perpetual suc- 20 cession of the state? All who have ever written on government are unanimous, that among a people generally corrupt, liberty cannot long exist. And indeed how is it possible? when those who are to make the laws, to guard, to enforce, or to obey them, are, by a tacit confederacy of manners, indis- 25 posed to the spirit of all generous and noble institutions.

I am aware that the age is not what we all wish. But I am sure, that the only means of checking its precipitate degeneracy, is heartily to concur with whatever is the best in our time : and to have some more correct standard of 30 judging what that best is, than the transient and uncertain favour of a court. If once we are able to find, and can pre-

vail on ourselves to strengthen, an union of such men, whatever accidentally becomes indisposed to ill-exercised power, even by the ordinary operation of human passions, must join with that society, and cannot long be joined without in some degree assimilating to it. Virtue will catch as well as vice 5 by contact ; and the public stock of honest, manly principle will daily accumulate. We are not too nicely to scrutinize motives as long as action is irreproachable. It is enough (and for a worthy man perhaps too much) to deal out its infamy to convicted guilt and declared apostasy. 10

This, gentlemen, has been from the beginning the rule of my conduct ; and I mean to continue it, as long as such a body as I have described can by any possibility be kept together ; for I should think it the most dreadful of all offences, not only towards the present generation, but to all 15 the future, if I were to do anything which could make the minutest breach in this great conservatory of free principles. Those who perhaps have the same intentions, but are separated by some little political animosities, will I hope discern at last, how little conducive it is to any rational purpose, to 20 lower its reputation. For my part, gentlemen, from much experience, from no little thinking, and from comparing a great variety of things, I am thoroughly persuaded, that the last hopes of preserving the spirit of the English constitution, or of reuniting the dissipated members of the English race 25 upon a common plan of tranquillity and liberty, does entirely depend on their firm and lasting union ; and above all, on their keeping themselves from that despair, which is so very apt to fall on those, whom a violence of character and a mixture of ambitious views do not support through a long, 30 painful, and unsuccessful struggle.

There never, gentlemen, was a period in which the steadfastness of some men has been put to so sore a trial. It is not very difficult for well-formed minds to abandon their interest ; but the separation of fame and virtue is a harsh divorce.¹ Liberty is in danger of being made unpopular to Englishmen. Contending for an imaginary power, we begin to acquire the spirit of domination, and to lose the relish of honest equality. The principles of our forefathers become suspected to us, because we see them animating the present opposition of our children. The faults which grow out of the luxuriance of freedom appear much more shocking to us than the base vices which are generated from the rankness of servitude. Accordingly the least resistance to power appears more inexcusable in our eyes than the greatest abuses of authority. All dread of a standing military force is looked upon as a superstitious panic. All shame of calling in foreigners and savages in a civil contest is worn off. We grow indifferent to the consequences inevitable to ourselves from the plan of ruling half the empire by a mercenary sword. We are taught to believe, that a desire of domineering over our countrymen is love to our country ; that those who hate civil war abate rebellion, and that the amiable and conciliatory virtues of lenity, moderation, and tenderness to the privileges of those who depend on this kingdom, are a sort of treason to the state.

It is impossible that we should remain long in a situation, which breeds such notions and dispositions, without some great alteration in the national character. Those ingenuous and feeling minds who are so fortified against all other things, and so unarmed to whatever approaches in the shape of disgrace, finding these principles, which they considered

as sure means of honour, to be grown into disrepute, will retire disheartened and disgusted. Those of a more robust make, the bold, able, ambitious men, who pay some of their court to power through the people, and substitute the voice of transient opinion in the place of true glory, will give in to the general mode ; and those superior understandings which ought to correct vulgar prejudice, will confirm and aggravate its errors. Many things have been long operating towards a gradual change in our principles. But this American war has done more in a very few years, than all the other causes could have effected in a century. It is therefore not on its own separate account, but because of its attendant circumstances, that I consider its continuance, or its ending in any way but that of an honourable and liberal accommodation, as the greatest evils which can befall us. For that reason I have troubled you with this long letter. For that reason I entreat you again and again, neither to be persuaded, shamed, or frightened out of the principles that have hitherto led so many of you to abhor the war, its cause, and its consequences. Let us not be among the first who renounce the maxims of our forefathers.

I have the honour to be, gentlemen, your most obedient and faithful humble servant,

EDMUND BURKE.

BEACONSFIELD, April 3, 1777.

BIOGRAPHICAL.

1729-1797.

Born in Dublin, January, 1729.

Early Education.

Enters Dublin University.

Law Studies at Middle Temple.

Early Writings.

In Ireland with Hamilton.

Secretary to Lord Rockingham.

Returned to Parliament from Wendover, 1765.

Purchase of Beaconsfield.

Agent for New York.

Visits France.

Attitude toward America.

Returned to Parliament from Bristol, October, 1774.

Affairs of the Catholics.

American War.

Returned to Parliament from Malton, 1780.

Lord Rector of the University of Glasgow.

Economical Reform.

Affairs in India.

French Revolution.

Retirement from Public Life, 1794.

His Son, Richard, succeeds him as Member for Malton.

Sudden death of his Son.

Letter to a Noble Lord.

Death, 1797.

MINISTRIES DURING BURKE'S POLITICAL LIFE.

Rockingham Ministry	1765
Chatham Ministry	1766
Grafton Ministry	1768
North Ministry	1770
Rockingham Ministry	1782
Shelburne Ministry	1782
Coalition Ministry	1783
Pitt Ministry	1784

A GROUP OF BURKE'S LITERARY FRIENDS.

Oliver Goldsmith.	George Crabbe.
David Garrick.	Edward Gibbon.
Samuel Johnson.	R. B. Sheridan.
Sir Joshua Reynolds.	Benjamin Franklin.

SCHEME FOR ANALYSIS OF STYLE.

Divisions of Style.

THE SCIENTIFIC. — “Ministers to our instinct for Knowledge.”

THE POETIC. — “Ministers to our instinct for Conduct and Beauty.”

Elements of Style.

VOCABULARY.

THE SENTENCE.

FIGURES OF SPEECH.

THE PARAGRAPH.

Qualities of Style.

INTELLECTUAL. — Simplicity. — Clearness.

IMPASSIONED. —	Force	{ Sublimity.
		{ Pathos.
		{ Irony.

ARTISTIC. —	Beauty	{ Euphony.
		{ Rhythm.
		{ Cadence.

Processes.

DESCRIPTION.

NARRATION.

EXPOSITION.

PERSUASION.

NOTES.



SPEECH ON AMERICAN TAXATION.

THE real significance of the repeal of the Stamp Act in 1766 was destroyed by the passage of the Declaratory Act, in which it was maintained that the British government had the right to bind the colonies in all cases whatsoever. In 1767 the ministry formed a new scheme of taxation, and imposed a duty upon glass, paper, paints, and tea. This caused so much agitation in the colonies that Parliament (1770) decided to remove all the impositions except that upon tea. But the Americans were not to be caught in such a trap, and accordingly the tea was not allowed to be landed. This resistance brought down a message from the throne, the result of which was the Boston Port Bill and the bill for regulating the Province of Massachusetts Bay. General Gage was commissioned to proceed to Massachusetts and enforce submission.

Amid the passion and frenzy of these times was heard the calm, clear voice of Burke, as he uttered the famous sentence, "The honourable gentleman has asked, 'Should not America belong to this country?' If we have equity, wisdom, and justice, it will belong to this country; if we have not, it will not belong to this country."

It was in connection with this subject that Mr. Rose Fuller, member for Rye, made the following motion, on April 19, 1774: *Moved*, "That an act made in the seventh year of the reign of his present Majesty, entitled An act for granting certain duties in the British colonies and plantations in America; for allowing a drawback of the duties of customs upon the exportation from this kingdom of coffee and cocoanuts; of the produce of the said colonies or plantations; for discontinuing the drawbacks payable on china earthenware exported to America; and for more effectually pre-

venting the clandestine running of goods in the said colonies and plantations," might be read.

And the same being read, he moved, "That this House will, upon the day sevensnight, resolve itself into a committee of the whole House to take into consideration the duty of 3*d.* per pound weight upon tea, payable in all His Majesties dominions in America, imposed by the said act, and also the appropriation of said duty."

The drawback alluded to above was granted in the interest of the East India Company, which desired free exportation in order to relieve its overstocked warehouses, and also to bribe the colonists to pay the 3*d.* per pound on the tea, which George III. declared was levied for the purpose of keeping up the right of imperial taxation.

When the news came that the tea upon which the royal prerogative was based had been steeped in Massachusetts Bay, the Privy Council was considering the petition of Massachusetts for the removal of the Governor and Chief Justice. The venerable Dr. Franklin was present to represent the petitioners, and was openly insulted by the solicitor-general. Burke and Dr. Priestly, who witnessed the indignity, were greatly grieved. Cf. Bancroft, III., Ch. XXIII., and engraving, "Franklin at the Court of St. James."

On Mr. Fuller's motion to repeal the 3*d.* tax there was a long list of speakers in opposition, the last being Charles Wolfran Cornwall, one of the lords of the treasury, and to him Burke replied.

PAGE 1, l. 1. 1. Cornwall, member for Grampound.

Line 12. 2. This exordium is most admirable when viewed in the light of the circumstances attending the debate. So much time had been consumed by the previous speakers that the tired members had betaken themselves to the lunch-rooms. Burke had not completed these few ringing sentences before they came back crowding the lobbies and staircases; while the American agents in the galleries were in great glee at the prospect of seeing the ministry severely scourged.

L. 21. 3. Previous to this time Cornwall had been opposed to the ministry in its dealings with America. He had deserted Burke's party for a position in the treasury bench. Cf. *Chatham Correspondence*, Vol. IV.

P. 2, l. 20. 1. To this request of Cornwall, Burke accedes in this speech, and gives a complete history of principles of American taxation.

P. 3, l. 8. 1. "I wish only to pursue the present expediency of the measure," Cornwall had said.

P. 4, l. 14. 1. Probably the colonies would not have made any opposition to duties imposed for the regulation of trade.

P. 5, l. 15. 1. Lord North, Chancellor of the Exchequer.

P. 6, l. 22. 1. Lord North.

P. 8, l. 1. 1. The circular letter from Lord Hillsborough, secretary for the colonies, to the colonial governors concerning the repeal of some of the taxes levied in the Act of 1767.

L. 22. 2. The United States took nearly one-third of the lead exported.
—PAYNE.

P. 9, l. 17. 1. Burke's career as a statesman seems to have been an illustration of success, "through large and liberal ideas."

P. 10, l. 9. 1. Cf. *History of the East India Company*.

L. 12. 2. The commerce of the East with Great Britain was wholly in the hands of the company.

L. 14. 3. The company had agreed to pay large amounts to the government for its privileges; and while its servants became wealthy, the company itself was forced to beg. Cf. Fox's India Bill.

L. 18. 4. The company was obliged to keep a great supply of tea in its warehouses.—PAYNE.

L. 24. 5. In April, 1772, a committee was appointed to make inquiries into the affairs of the company, but had not produced any good results.

P. 12, l. 2. 1. When a home manufacture was subject to duty and was exported, the duty was drawn back. When foreign goods were brought into the country to be exported, the duty was often remitted.

L. 13. 2. Virgil's *Æneid*, VI., l. 726-7.

P. 14, l. 19. 1. February, 1769. The original purpose of this act was to provide for the trial in England of those who had committed crimes at sea. Cf. Letter to the Sheriffs of Bristol.

P. 17, l. 14. 1. The assembly of Virginia replied to the speech of the governor, Lord Botetourt, as follows: "No, my Lord; we are sure *our most gracious sovereign*, under whatever changes may happen in his confidential servants, will remain immutable in the ways of truth and justice, and that he is *incapable of deceiving* his faithful subjects.

P. 18, l. 14. 1. Lord North.

P. 21, l. 28. 1. The Isle of Man became an English possession, 1765.

P. 23, l. 28. 1. "If any man had been accustomed to regard Mr. Burke as more of a rhetorician than a reasoner, let him turn back and study over the series of arguments contained in this first head."—PROFESSOR GOODRICH.

P. 24, l. 23. 1. Passed under Cromwell, 1651, and was designed to deprive the Dutch of the carrying trade, by prohibiting the importation into England, or any of her colonies, in *foreign* vessels, of any commodities not the growth of the respective countries in whose vessels they were imported.

P. 26, l. 9. 1. Governor of Massachusetts Bay.

P. 32, l. 20. 1. "This admirable sketch has one peculiarity which is highly characteristic of Mr. Burke. It does not so much describe the objective qualities of the man, as the formative principles of his character. The same also is true respecting the sketch of Charles Townsend which follows, and to some extent respecting the sketch of Lord Chatham."—PROFESSOR GOODRICH.

P. 34, l. 7. 1. English colonists had carried on trade in British manufactures with France and Spain. This violated the letter of the Navigation Act, and the accused were to be tried in the admiralty courts, and thus be deprived of trial by jury.

L. 8. 2. The colonies had issued paper money when coin was withdrawn in course of trade with England. When their value as legal tender was destroyed by Grenville's act, much hardship was the result.

L. 13. 3. In the war with France, the Colonies had paid toward the debt more than their share.

P. 35, l. 29. 1. That Americans did object to the principle is shown by the fact that immediately after the passage of the act Massachusetts sent orders to her agent in England to resist any such innovations. Other colonies followed her example, and declared their opposition.

P. 39, l. 11. 1. Mr. Burke was secretary to Lord Rockingham in 1765.

P. 40, l. 6. 1. Mr. Charles Yorke accepted the office of Lord Chancellor in 1770, and was so severely criticised for his desertion that he committed suicide.

P. 42, l. 24. 1. Mr. Dowdeswell.

L. 25. 2. General Conway.

P. 44, l. 4. 1. General Conway.

P. 45, l. 11. 1. Rockingham was in ill favor with the king because of his attempt to repeal the Stamp Act, and because he had not provided for the king's brothers.

P. 46, l. 17. 2. General Conway's actions had made this rebuke necessary. He had not kept his faith with the opposition; he was a deserter from the cause, and received as his pay the generalship of Jersey.

P. 50, l. 20. 1. It was the deliberate plan of the English press, if not the pulpit, to break down the influence of the friends of America by representing them as encouraging sedition.

P. 54, l. 31. 1. Lucan, *Pharsalia*, Book IX., v. 202, referring to Pompey. Cf. Macaulay's Essay on Chatham.

P. 56, l. 4. 1. Lord North and George Cooke, Esq., who were made joint paymasters on the removal of the Rockingham administration.

P. 61, l. 2. 1. The delicacy with which Burke here treats the peculiarities of Townsend will be appreciated on reading Walpole's Sketch, in which he says: "Townsend had almost every great talent, and every little quality. His vanity exceeded even his abilities."

P. 62, l. 15. 1. When he moved his resolutions in regard to America, May, 1770. Cf. Bancroft, III., Ch. XXIX.

P. 64, l. 19. 1. Mr. Fuller.

P. 66, l. 23. 1. Lord Carmarthen, who, during the debate, said: "The Americans are our children, and how can they revolt against their parents? If they are not free England is not free."

P. 71, l. 6. 1. Lord North.

L. 18. 2. Mr. Dowdeswell.

Probably for breadth of grasp, clearness and cogency of reasoning, profound political wisdom, power of description, and biting sarcasm, together with originality and independence, this speech has never been surpassed. The scene in the Commons at its close was a memorable one. Lord John Townsend exclaimed, "Heavens! what a man this is! Where could he acquire such transcendent powers?" George Savile said that it was the greatest triumph within his memory. Colonel Barré said that if it was printed, he would nail it to every church door in the kingdom.

The speech was not printed until the close of the year, because the administration claimed that much of the trouble in America was due to the publication in England of writings hostile to the government.

"On the publication of this speech," says MacKnight, "young men at

college, philosophers in their studies, and the better class of politicians became more than ever attracted to Burke."

Mr. Bancroft says: "This speech was such as had never been heard in the British Parliament. The words fell from him as burning oracles; and while he spoke for America he seemed to prepare the way for renovating the constitution of England, yet it was not so."

Mr. Fox followed Burke, and for the first time gave his voice and vote for the opposition. On the division just the number that had stood against the Stamp Act stood by Burke against four times as many for the administration.



SPEECH ON ARRIVAL AT BRISTOL.

On the day upon which Parliament was considering the motion for repeal of the tax upon tea, the people of New York sent back the tea ship.

The administration passed the penal measure, requiring all offenders indicted for crime in the colonies to be transported to England or to a British colony for trial. The bill legalizing the quartering of troops in Boston was passed. Burke solemnly renewed his protest against such recklessness and inhumanity.

A measure for the government of Quebec followed; the purpose of this was to prevent the colonies from extending their territory.

"As the fleets and armies of England," says Bancroft, "went forth to consolidate arbitrary power, the sound of war everywhere died away. Kings sat still in awe, and nations turned to watch the issue."

Affairs in America were fast coming to a crisis. Revolution was at hand. Boston was sustained, and preparations were made for a general Congress at Philadelphia. France favored the cause of the colonies. In September, 1774, Congress assembled; and Patrick Henry sounded the note of war, when, in quoting Hawley, who had said, "After all, we must fight," said, "I am of that man's mind." Virginia nullified the Quebec act, and General Gage was finding that it would be no easy matter to enforce the regulating act. The thirteenth Parliament had been prorogued, and then suddenly dissolved. Burke was not to stand for Wendover again, because Lord Verney, who controlled the district, needed to dispose of it to one who could pay for the privilege. Accordingly the city of Bristol

asked Burke to stand in place of Lord Clare, the previous member, who declined to be a candidate after the poll had been open two days. Burke was about to stand for Malton, but immediately drove to Bristol, and ascended the hustings, where he addressed the sheriffs and electors in this speech. Mr. Henry Cruger, a Bristol merchant, was his colleague, while Mr. Brickdale, one of the last members, was a competitor.



SPEECH AT THE CONCLUSION OF THE POLL.

During the poll each candidate personally solicited the confidence of the electors, and at its close, on the 3d of November, Burke was declared duly elected.

The Whigs carried both candidates. Mr. Brickdale threatened to contest, but never executed the threat. Cruger was the first to acknowledge his indebtedness to the electors, and expressed his willingness to be ruled by the wishes of his constituents; but Burke resolutely affirmed his right to act, not merely for Bristol, but for the English people. Cf. Webster's Reply to Hayne, for a similar principle by the great American Senator.

PAGE 80, l. 15. 1. Mr. Brickdale had in a previous poll solicited the favor of these very freemen.



SPEECH ON CONCILIATION WITH AMERICA.

At the opening of the fourteenth Parliament, Nov. 30, 1774, reports from New England showed that war was certain, unless speedy movements were made to crush the colonists. General Gage was instructed to act offensively, and Clinton and Burgoyne were appointed. Franklin vigorously urged conciliation, and on meeting with no encouragement, but the rather with insult, determined to return to America. On taking leave of Burke, he said, "I lament the separation between Great Britain and her colonies, but it is inevitable." Petitions from merchants from all parts of England were presented to Parliament for a reconciliation before trade was ruined, Bristol taking the lead under the guidance of Burke.

By this time Lords North and Chatham began to think that reconciliation must be attempted in some form, and they had a bill passed to the effect that if any of the colonies would contribute to the common defence, the right of taxation would be suspended in that colony. The offer was spurned; and now came the opportunity for Burke and his party. After frequent consultations at the house of Lord Rockingham, on the day (22d) that Franklin was sailing out of the harbor at Portsmouth, Burke stood forth as the apostle of peace, and introduced his plan of reconciliation in this speech.

P. 85, l. 10. 1. On Feb. 10, 1775, Lord North presented an address from the king, asking for the augmentation of his forces, and then proposed the "Act to restrain the trade and commerce of the Provinces of Massachusetts Bay and New Hampshire, and Colonies of Connecticut and Rhode Island and Providence Plantation, in North America, to Great Britain, Ireland, and the British Islands of the West Indies; and to prohibit such provinces and colonies from carrying on any fishing on the banks of Newfoundland, and other places therein mentioned, under certain conditions and limitations."

New England fishermen were to be excluded from a line of industry in which they excelled all nations. By this bill, at one swoop, thousands were to be reduced to beggary. Burke protested most indignantly. "The bread of the needy," he said, "is their life-blood. He who depriveth them of it is a man of blood."

P. 86, l. 28. 1. In 1766, on the repeal of the Stamp Act by the Rockingham administration.

P. 87, l. 20. 1. Mr. Rose Fuller. Cf. Speech on American Taxation.

P. 90, l. 22. 1. "That when the governor, council, or assembly, or general court, of any of his Majesty's provinces or colonies in America, shall *propose* to make provision, *according to the condition, circumstances, and situation* of such province or colony, for contributing their *proportion* to the *common defence* (such *proportion* to be raised under the authority of the general court or general assembly of such province or colony, and disposable by Parliament), and shall engage to make provision also for the support of the civil government and the administration of justice, in such province or colony, it will be proper, *if such proposal shall be approved by his Majesty* and the two *Houses of Parliament*, and for so long as such provision shall be made accordingly, to forbear, *in respect of such province*

or colony, to levy any duty, tax, or assessment, or to impose any further duty, tax, or assessment, except such duties as it may be expedient to continue to levy or impose, for regulation of commerce; the net produce of the duties last mentioned to be carried to the account of such province or colony respectively." — Resolution moved by Lord North on the committee; and agreed to by the House, 27th February, 1775. Lord North wore the badge of the Knight of the Garter.

P. 91, l. 5. 1. The ministry had passed an address to the king in which they declared that Massachusetts was in rebellion, and urged his Majesty to take immediate action.

P. 93, l. 19. 1. This is in Burke's best style. The comparison beautifully illustrates the idea, and justifies his assertion, that while "the dispute continues, the exaggeration ends." — PROFESSOR GOODRICH.

L. 26. 2. "De minimis von curat lex."

P. 94, l. 10. 1. Mr. Glover, who had appeared at the bar in support of a petition from West Indian planters asking for peace with the colonies, because their commerce was in peril.

P. 95, l. 11. 1. Slave trade.

2. The Spanish Colonies, in spite of the Act of Navigation, carried on trade with the West Indies.

P. 97, l. 1. 1. Burke's reasoning here seems prophetic when considered in the light of the latest statistics regarding the commerce between England and the United States.

L. 15. 2. The quotation is from Virgil's fourth Eclogue, where the allusion is to the birth of a child by the sister of Augustus.

L. 23. 3. Henry, created Lord Apsley and made chancellor in 1771.

P. 98, l. 17. 1. Professor Goodrich questions the propriety of this passage and the following one upon the fisheries, yet are they not the very top and crown of Burke's style!

P. 99, l. 23. 1. Alluding to the Roman daughter who, when her father was condemned to starve, obtained access to his cell, and nourished him from her own breasts.

P. 100, l. 9. 1. A small constellation far to the south.

2. Consult *American Cyclopædia*, Art. "Falkland Islands."

P. 101, l. 3. 1. Is it any wonder that such utterances as these caused Burke to be charged with being an American?

• P. 103, l. 11. 1. We see here the secret of Burke's richness of thought.

It consisted, to a great extent, in his habit of viewing things in their *causes* or tracing them out in their *results*. Let the reader study these pages with reference to this fact. — PROFESSOR GOODRICH.

P. 106, l. 4. 1. Cf. Matthew Arnold's effective use of this phrase of Hooker's, in *Culture and Anarchy*.

P. 107, l. 10. 1. Alluding to the partition of Poland by Austria, Prussia, and Russia, 1772, by which she lost her national independence.

L. 18. 2. For illustration of this, compare the number of lawyers in the first and in the last Congress.

P. 108, l. 2. 1. General Gage forbade the colonists from holding any town meetings after Aug. 1, 1774. The colonists evaded the prohibition by adjourning over the 1st, and thus meeting, but not under a *call*.

L. 6. 2. Thurlow, the attorney-general.

L. 13. 3. Cf. Bacon's Essay on *Studies*.

L. 30. 4. Horace, *Odes*, Book IV., 1, "Ministram fulminis alitem."

P. 109, l. 19. 1. Compare this statement of Burke in regard to Monarchies and Despotisms with Bryce's Analysis of the workings of the American Constitution. — *American Commonwealth*, Vol. I., Part I., Ch. XXVIII.

P. 110, l. 12. 1. *Hamlet*, Act I., Sc. V.

P. 116, l. 5. 1. Juvenal, *Sat.* VIII.

L. 31. 2. An illustration of what Matthew Arnold says of Burke: "He is so great because, almost alone in England, he brings thought to bear upon politics; he saturates politics with thought."

P. 118, l. 2. 1. From one of Dryden's plays.

L. 28. 2. For an exhibition of coarse and brutal treatment Professor Goodrich gives the following from Howell's *State Trials*, Vol. II.: "*Coke*: I will prove you the notorious traitor that ever came to the bar. *Raleigh*: Your words cannot condemn me; my innocency is my defence. *Coke*: Thou art a monster. Thou hast an English face but a Spanish heart."

P. 119, l. 17. 1. From the very significance of the term.

P. 122, l. 15. 1. Burke has often been accused of too much refining in his speeches, but a careful study of his works will reveal the fact that he seldom anatomizes; he everywhere deals with broad principles, profound, permanent, fruitful.

P. 123, l. 3. 1. *Paradise Lost*, II., 592-3.

L. 19. 2. His statesmanship rises above petty maxims, such as men

resort to who think that suspicion is the great law of life, and that the more advantages you can take of your neighbor, the better it is for yourself. — MAURICE.

P. 125, l. 2. 1. Mr. Rice.

P. 126, l. 4. 1. By Dean Tucker. Cf. MacKnight, Vol. II., Ch. XXII., p. 115 *et seq.*

P. 128, l. 16. 1. The Witenagemote was the Parliament of the Anglo-Saxons. Cf. Stubb's *Constitutional History*, Vol. I., Ch. VI.

P. 129, l. 2. 1. English settlers in Ireland after the invasion of Strongbow kept themselves, within certain limits, distinct from the natives called the "Pale." They enjoyed English law while the natives were denied it. — PROFESSOR GOODRICH.

P. 130, l. 9. 1. Cf. Green's *Short History of the English People*, Ch. IV.

P. 132, l. 12. 1. Read the "Famous history of the revenue adventures of the Bold Baron North and the good Knight Probert upon the mountains of Venodotia," as so graphically given by Burke in his speech on Economical Reform.

L. 22. 2. Horace, *Ode to Augustus Caesar*, Book I., 12. A comparison of the peaceful influence of Augustus to that of the twins Castor and Pollux upon storms at sea.

P. 134, l. 19. 1. Cf. Burke's Speech on Economical Reform.

P. 138, l. 5. 1. Horace, *Sat.*, I., 2.

L. 11. 2. Ex. xx. 25.

L. 18. 3. St. Paul, 1 Epis. to Cor. iv. 6, Revised Version, "That in us ye might learn not to go beyond the things which are written."

L. 19. 4. St. Paul, 2 Epis. to Tim. i. 13, Revised Version, "Hold the pattern of sound words."

P. 141, l. 21. 1. *Journals of the House*, Vol. XXII.

P. 142, l. 2. 1. *Journals of the House*, Vol. XXVII.

L. 11. 2. *Ibid.*

L. 29. 3. It was claimed that the colonies could not legally make grants to the Crown because it made the king independent of Parliament. Grenville and others were of this opinion. Hence Burke insists upon these precedents. — PROFESSOR GOODRICH.

P. 148, l. 22. 1. The solicitor-general informed Mr. Burke when the resolutions were separately moved that the grievance of the judges par-

taking of the profits of the seizure had been redressed by office; accordingly the resolution was amended.

P. 150, l. 31. 1. *Othello*, Act. III., Sc. V.

P. 152, l. 25. 1. Lord North.

P. 153, l. 9. 1. "Trial should be made with a worthless subject."

L. 25. 2. Through committee.

P. 156, l. 14. 1. A writ of commission for taxing lands.

P. 158, l. 12. 1. Juvenal, *Sat.*, I., 90. Alluding to the excess in gambling.

P. 159, l. 16. 1. *Paradise Lost*, IV., 96-97.

L. 19. 2. *Paradise Lost*, IV., 53.

P. 161, l. 4. 1. 1 Kings viii. 44, 45; Dan. vi. 10. We see everywhere the results of Burke's hours with the poets. Dr. Earle, in his excellent work on English prose, says, "About the choice of reading there is a very important remark to be made. The writer of English prose should be conversant with English poets."

L. 30. 2. Cf. Virgil, *Æneid*, VI., 726-727.

P. 162, l. 26. 1. The call to prayer in the Roman Catholic Church.

P. 163, l. 7. 1. Roman prayer.

P. 164, l. 17. 1. The first four motions and the last had the previous question put to them. The others were negatived.

On the day of the delivery of this speech strangers were shut out of the gallery, but the House was filled with members. Burke spoke for three hours.

"Silence! hush!

This is no trifle, no short-flighted wit,
No stammerer of a minute, painfully
Delivered. No! the Orator hath yoked
The Hours, like young Aurora, to his car."

The audience which he addressed was by a large majority strongly opposed to his ideas, yet such was the almost superhuman power of his genius and the might of the truths which he laid before them that the members were kindled to the highest heat of enthusiasm, and he took his seat amid loud and general applause from every class of politicians and from all parts of the House.

Thurlow, the attorney-general, followed, and by an adroit appeal to the littleness of party feeling, brought two hundred and seventy members down to his own level of the selfish and the sordid. Only seventy-eight sup-

ported Burke in his attempt to avert the horrors of a war between peoples of common blood, common language, and common ancestry.

The speech was immediately published,—only a short time after the publication of his speech on Taxation,—and the two were eagerly studied by the *people* throughout the Empire.

Chatham's Bill for reconciliation should be compared with these Resolutions of Burke.

In this speech, says Dr. Goodrich, Burke took the standpoint of America, while in his speech on Taxation he took the standpoint of England.



LETTER TO THE SHERIFFS OF BRISTOL.

After the rejection of Burke's resolution, Parliament had but one more opportunity to voluntarily show pacific spirit. The General Assembly of New York, for which Burke was agent, had not formally joined the Continental Congress, but preferred to remonstrate separately, and sent a petition to the king, a memorial to the House of Commons, a representation to the lords in which the grievances of the colonies were recapitulated and redress requested.

Burke moved that this complaint be received, but by a majority of three to one it was insolently refused. No sooner had the House rejected this than it heard that the war had begun. When the colonists were successful, Burke urged reconciliation; when they were met by reverses, he quite as strongly urged the same plan, but all to no purpose. He censured the University of Oxford for applauding when the colonists were defeated. When Lord North planned to starve them to submission, and to employ German mercenaries, he was indignant. When the colonies declared themselves independent of the mother country, he prophesied success. At last Burke and his friends, concluding that they might emphasize their opposition to the administration and assure the people of America that they could act as well as talk, withdrew from the deliberations of the House. Business was then rushed along, and Parliament seemed bound to commit suicide. Franklin was at the court of France, and this act of the colonies inflamed the administration and goaded it on to desperation. When the iniquitous bill for a suspension of the Habeas Corpus came-up,

those who had withdrawn met at the house of Lord Rockingham, and some advised a return, but Lord Cavendish, the Duke of Poland, and Burke dissented. Fox, Sir George Saville, and Dunning were present and opposed the bill.

Burke's enemies at Bristol were making use of his secession to damage his prospects of a re-election, and as soon as the Habeas Corpus Bill was passed, he sent this letter to the Sheriffs of Bristol, and through it he reached the whole British people and replied to the charges. He did not return to the House until April, 1777, when the King's Civil List Bill came up.

For events intervening between the speech on Conciliation and the Letter, cf. MacKnight, Vols. II., Chs. XXII. and XXIII.; Bancroft, Vols. IV. and V.

P. 168, l. 5. 1. The Letter of Marque, by which the property of the colonists upon the sea was to become that of the captor. Thus it became a criminal offence for the colonists to engage in commerce.

L. 10. 2. This famous statute, passed in 1679 and considered the bulwark of liberty, was to be converted into an engine of oppression, to such extremes of desperation had the administration been driven.

P. 169, l. 26. 1. In the rising of 1745 for the cause of Prince Charlie, this Scottish nobleman was captured and put to death.

P. 170, l. 6. 1. Cf. note, page 168, line 5.

L. 28. 2. The purpose of the old Statute of Henry the Eighth was to insure British offenders arrested in the colonies a trial on British soil. Cf. page 14, line 19, note. To apply it to the colonies was a direct inversion of its spirit.

P. 171, l. 31. 1. A place of execution near London.

P. 173, l. 17. 1. Brunswickers and Hessians.

P. 175, l. 9. 1. To hear and determine.

P. 179, l. 11, 1. Cf. note introductory to this speech, and MacKnight, II., Ch. XXIII., "The Secession."

P. 180, l. 12. 1. These three bills, for Closing the Port, for Quartering Troops, and for Suspension of the Massachusetts Charter, were passed in the session of 1774 and 1775. Cf. Bancroft, Vol. IV., V.

P. 181, l. 22. 1. The French, who were feared lest they should assist the colonies.

L. 26. 2. Cf. Bancroft, IV., Ch. XXIII.

P. 182, l. 16. 1. Rahl and Kniphausen were commanders of the Ger-

man mercenaries under General Howe. After the capture of Fort Washington on the Hudson it was called Fort Mifflin.

L. 28. 2. Brunswickers and Hessians were hired by the administration. As the pay in Germany was not so large as that in England, the difference was paid to the respective rulers, — the Duke of Brunswick and the Landgrave of Hesse. Soldiers were impressed from the plough, the workshop, and the highway. Cf. Bancroft, IV., Ch. XXII.

P. 185, l. 9. 1. After the victory of Howe at Long Island, the English people seemed beside themselves with pride, and hurled all manner of reproaches against the colonists. A general fast was proclaimed, and the king prayed for the rebels "as a Spanish inquisitor might be supposed to pray for the conversion of a miserable Jew at an auto-da-fê."

P. 187, l. 5. 1. This assertion is most conclusively proved by the three publications in this volume. That Burke could have so thoroughly understood the position of the colonies, when at a distance of three thousand miles from them, seems almost incredible.

P. 188, l. 9. 1. In December, 1776, Congress at Baltimore voted to "assure foreign courts that the Congress and people are determined to maintain their independence at all events." Treaties were to be made with Prussia, Vienna, and Tuscany, and an alliance was to be made with France and Spain. After the battle of Trenton, Lord George Germain said, "All our hopes are blasted."

L. 26. 2. Up to the time of the battle of Trenton, Congress had left on its journals the suggestion that a reunion with Great Britain might still be possible.

P. 190, l. 14. 1. Admiral Howe and his brother the General were appointed on a Commission of Peace, and had said that peace would be made within ten days after their arrival. They had power to grant free and general pardons, and promise "due consideration to all persons who should aid in restoring tranquillity." This declaration was sent, addressed to Washington as a private citizen, and he declined to receive it. Congress said that Washington "acted with a dignity becoming his station."

P. 191, l. 1. 1. To Franklin Lord Howe said that his ambition was to prevent the commerce of America from passing to foreign nations, and Franklin replied, "It is painful to me to see you engaged in a war, the ground of which is 'the necessity of preventing American trade from passing into foreign channels.'"

L. 24. 2. "Every thicket will be an ambuscade of partisans; every stone-wall a hiding-place for sharpshooters; every swamp a fortress; the boundless woods an impracticable barrier; the farmer's house a garrison."

— BANCROFT.

P. 196, l. 6. 1. Cf. Bancroft, IV., Chs. XIII., XXVII., XXVIII.

P. 197, l. 6. 1. An island of the East Indies, valuable for its production of spice. It has been the property of Portugal, Spain, Holland, and England. In 1622 the Dutch massacred the English settlers, and took possession of the island of which they had been deprived by the English in 1615. In 1672, Charles II. persuaded Louis XIV. to join him in making war upon the Dutch. The English were not favorable to such an undertaking, and to excite them, Charles had the massacre acted upon the stage.

P. 198, l. 14. 1. Cf. note, page 190, line 14.

P. 199, l. 4. 1. Cf. note, page 188, line 26.

L. 30. 2. This position of Burke should be emphasized, when so many make use of the *caricature* in Goldsmith's *Retaliation* as if it were a characterization.

P. 200, l. 11. 1. Cf. De Tocqueville, *Democracy in America*, Vol. I., Ch. II.

P. 202, l. 4. 1. Established in 1584, the one having jurisdiction over men's consciences, the other over their actions, became so hateful to the people, that they were repealed in 1641.

P. 203, l. 8. 1. The Ancient Legislature of the Church of England, having an upper and a lower house.

P. 204, l. 10. 1. Court of a province on the coast of Hindostan.

P. 206, l. 16. 1. Cf. Carlyle's *French Revolution*.

P. 209, l. 9. 1. Cf. Provincial, Proprietary, and Charter Governments.

P. 211, l. 8. 1. "The joy of the colonies was for a time unmixed with apprehension," says Bancroft.

L. 16. 2. Lord Rockingham.

P. 215, l. 29, 1. Bentinck was the family name of the Duke of Portland, a leader of the Whig Peers.

L. 31. 2. Cavendish, the family name of the Duke of Devonshire, a leading Whig Commoner.

P. 220, l. 5. 1. No statesman in history presents such a life of suffering for great causes. He believed that success was measured, not by a party vote, but by the devotion to right.

Three years had not gone since Burke moved his plan of conciliation, and yet the commissioners sent by the king to sue for peace, and to grant most ample and complete concession, only reserving to the king the very right for which the colonies contended, — this dignified commission, armed cap-a-pie for an interview with the American Congress, — were fleeing at the tail of a retreating army, and letting fly “their Parthian shafts of manifestoes and remonstrances.” To this issue had the dissension come, — a dissension which might have been prevented by the repeal of the miserable duty upon tea, — a badge of the royal prerogative to tax whom he pleased. The royal commission, when at safe distance from the halls of the American Congress, performed that last and valiant act of issuing a proclamation against the rebellious subjects of their sovereign. This was a scene of buffoonery which Burke must have enjoyed to the utmost.

The colonists went from success to success, until, upon the very day when new supplies were setting sail for America, the war was being ended by the surrender of Cornwallis at Yorktown. The news reached Lord North in a few weeks, and in the deepest agony he exclaimed, “O God! it is all over!” Yet he strove still to palliate the blow, until at last General Conway, who had before acted with the administration, moved that an address should be presented to the king against continuing the contest; and after a most aggressive discussion, at half-past one o’clock in the morning, on loud cries of ‘Question! Question!’ the division was ordered, and the government was beaten by a majority of nineteen, and Westminster Hall was a scene of the wildest confusion; joy knew no bounds; the whole metropolis was aroused. At two o’clock Burke left the house, and wrote to his friend, Dr. Franklin: “I congratulate you as the friend of America — I trust as not the enemy of England — I am sure as the friend of mankind — on the resolution of the House of Commons carried by a majority of nineteen. . . . I trust that our happiness may be an introduction to that of the world at large.” The resignation of the minister followed, and the last act which Lord North was to play in this tragedy of action and passion was deeply pathetic as on that bitterly cold night, amid the falling snow driven by keen March winds, on stepping into his carriage at Westminster Hall, he exclaimed to a group of the opposition, “Good-night, gentlemen!”

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